



# Ark Paddington Green Primary Academy

## **SAFEGUARDING POLICY**

Date of last review:	Sept 2017	Review period:	1 year
Date of next review:	Sept 2018	Owner:	Head of Safeguarding
Type of policy	Network	LGB or Board:	Risk and Audit Committee

## Named staff with Safeguarding Responsibilities

### Academic Year : 2017-18

<i>Principal</i>	<i>Designated Safeguarding Lead</i>	<i>Deputy Designated Safeguarding Lead</i>	<i>Nominated Safeguarding Link Governor</i>	<i>Chair of Governors</i>	<i>Local Authority Designated Officer (LADO)</i>
Max Haimendorf	Katy England	Imogen Colmans	Louise Knight	Ann Ewing	Leonie Bingham

### **1. Introduction**

- 1.1 This Policy sets out Ark's commitment to safeguard the children and young people in our academies. The scope and aims of the Policy are set out in sections 3 and 4. Section 6 details leadership and management responsibilities in our network for those with a particular safeguarding remit, and sections 8 to 12 detail the key staff responsibilities, safeguarding procedures, policies and available information to academies to support safeguarding in our schools. In section 13 the Policy describes our support for the child and how we partner with our parents and carers.
- 1.2 This Safeguarding Policy has been developed in accordance with the principles established by the Children Act 1989 and 2004 and responsibilities under section 157 of the Education Act 2002. It reflects the current advice and guidance from the Department for Education and requires the academies in the network to take note of the priorities of their Local Safeguarding Children's Board (LSCB). In particular, the policy is consistent with the child protection procedures outlined in the following statutory guidance:
- Working Together to Safeguard Children (March 2015)
  - What to do if you are worried a child is being abused (March 2015)
  - Use of reasonable force: Advice for Headteachers, staff and governing bodies (July 2013)
  - Keeping Children Safe in Education (Sept 2016)
- 1.3 This Safeguarding policy requires staff and governors to read and sign to acknowledge Part One of Keeping Children Safe in Education September 2016, supported by a questionnaire or online survey to assist staff to understand and discharge their role and responsibilities.

## 2 Definitions

Within this document:

- 2.1 The umbrella term 'Safeguarding' is defined in the Children Act 2004 as:
- Protecting from maltreatment;
  - Preventing impairment of health and development;
  - Ensuring that children grow up with the provision of safe and effective care;
  - Work in a way that gives the best life chances and transition to adulthood.
- 2.2 **Child Protection (CP)** is an aspect of safeguarding, but is focused on how we respond to children who have been significantly harmed or are at risk of significant harm.
- 2.3 **Child** refers to all children and young people who have not yet reached their 18th birthday. On the whole, this will apply to pupils of our school; however the policy will extend to visiting children and students from other establishments.
- 2.4 **Parent** refers to birth parents and other adults in a parenting role for example adoptive parents, step parents and foster carers.
- 2.5 **Abuse** could mean neglect, physical, emotional or sexual abuse or any combination of these. Parents, carers and other people can harm children either by direct acts and /or failure to provide proper care. Explanations of these are given within the document.

## 3. Principles and Values

- Children should feel secure and cannot learn effectively unless they do so.
- All children regardless of age, gender, race, ability, sexuality, religion, culture or language should be protected from harm.
- All staff have a key role in prevention of harm and an equal responsibility to act on any suspicion or disclosure that may indicate a child at risk of harm in accordance with the guidance.
- We acknowledge that working in partnership with other agencies protects children and reduces risk and so will engage in partnership working throughout the child protection process to safeguard children.
- We also recognise that there are often no easy solutions to safeguarding problems. Making a referral is an important step, but our responsibilities do not end there. While solutions are being worked on, and afterwards, affected children will continue to come to school each day, and will continue to need attention in many ways. We must be sensitive and responsive to their continuing needs.

Whilst the academy will work openly with parents as far as possible, the academy reserves the right to contact Children's Social Care Services or the Police, without notifying parents if this is in the child's best interests.

## 4. Aims

This policy sets out the principles, procedures and advice from the Department for Education that support the safeguarding aims of our academies, which are to:

- Do our best to identify children who are suffering or are likely to suffer abuse and to act to protect and help them, working with other relevant services.

- Support the child's or young person's development in ways that will foster security, confidence and independence;
- Provide an environment in which children and young people feel safe, secure, valued and respected, and feel confident and know how to approach adults if they are in difficulties;
- Educate and encourage pupils to keep safe through the content of the curriculum and the academy ethos which helps children to feel safe and able to talk freely about their concerns, believing that they will be listened to and valued;
- Reinforce our Safeguarding Policy with strong policies for recruitment, for preventing and dealing with bullying and harassment, and for teaching children how to protect themselves.
- Raise the awareness of all teaching and non-teaching staff of the need to safeguard students and of their responsibilities in identifying and reporting possible cases of abuse or neglect, and to be aware of signs of abuse in non-verbal children;
- Provide a systematic means to monitor students known or thought to be at risk of harm, and to ensure the academy contributes to assessment and support for those students alongside other agencies e.g. Social care services, Children with Disabilities Teams, School Nurse, Children & Mental Health Service (CAMHS), Education Welfare and the Police.
- Emphasise and acknowledge the need for effective and appropriate communication between all members of staff in relation to safeguarding pupils;
- Set clear safeguarding procedures and make sure that everyone in our schools understands and follows them.
- Train our staff in the implementation of these and all other topics relevant to safeguarding.
- Review the outcomes of our work to make sure that we continue to strike the right balance
- Develop and promote effective working relationships and appropriate information sharing with other agencies, especially the Police and the relevant Social Care Services; and
- Ensure that all staff, governors and volunteers at the academy who have access to students, have current DBS checks, their identity has been verified by original documentation and that those references are checked in line with Ark recruitment and appointment policies.
- Ensure detailed policies and procedures for each academy will be found in **Appendix A**.

## **5. Scope**

This policy applies to all staff, governors, volunteers and trustees working in or on behalf of the academy, including those at Ark Central team. Schools should make the policy available on their academy website.

## **6. Leadership and Management**

### **6.1 The Ark Schools Board**

The Ark Schools Board retains statutory responsibility for ensuring that all legal responsibilities in connection with Safeguarding are discharged.

This responsibility is invested in the Head of Safeguarding who is the network's Designated Safeguarding Lead.

Responsibility for Safeguarding (other than safer recruitment) is then delegated by the Head of Safeguarding to the academy's Principal and Designated Safeguarding Lead to act on behalf of the Ark Schools Board and ensure that Safeguarding policies and procedures are compliant with local authority guidance and locally agreed inter-agency procedures.

## **6.2 Head of Safeguarding**

The Head of Safeguarding holds responsibility for ensuring schools have appropriate safeguarding processes, practices and relevant training to safeguard and promote the welfare of children.

The Head of Safeguarding recognises that staff anxiety around child protection can undermine good practice and so has established clear lines of accountability, training and advice to support the process and individual staff with that process.

Strategic support will be provided to schools. The Head of Safeguarding will delegate to the Principal and Designated Safeguarding Lead in each academy to ensure that this policy is followed. Training on these responsibilities is provided by Ark.

## **6.3 The Principal or Head of School**

The Principal or Head of School will ensure that:

- the policies and procedures adopted by the Ark School's Board and Local Governing Body associated with protecting children are fully implemented, understood and followed by all staff and adhered to at all times;
- the nominated Safeguarding link governor is made known to all staff;
- sufficient resources and time are allocated to enable the academy's Designated Safeguarding Lead and other staff to discharge their safeguarding responsibilities;
- 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 in accordance with agreed policies;
- and that the responsibilities detailed in 6.4 are fully carried out.

## **6.4 The Designated Safeguarding Lead in the Academy**

The Designated Safeguarding Lead is the lead officer within the academy for Safeguarding and has the following responsibilities:

### **6.4.1 Raising awareness**

- Ensure that the Safeguarding policy is known, updated and reviewed annually and the procedures and implementation are updated and reviewed;
- Ensure that the Safeguarding policy is available and parents are made aware of the fact that referrals about suspected abuse or neglect may be made and the role of the academy;
- Where children leave the academy ensure their child protection file is transferred to the new school as soon as possible. This should be transferred separately from the main pupil file, ensuring secure transit and confirmation of receipt should be obtained.

### **6.4.2 Training**

- Receive appropriate training annually;

- Understand the assessment process for providing early help and intervention e.g. early help assessments, Common assessment framework (CAF), Single assessment framework (SAF);
- Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when requested to do so;
- Ensure each member of staff has access to and understand the Academy's Safeguarding policy and procedures, especially new and part time staff and volunteers;
- Be alert to the specific needs of children in need, those with special educational needs & disabilities and young carers (s.17 CA 1989);
- Be able to keep detailed, accurate, secure written records of concerns and referrals;
- Obtain access to resources and attend any relevant or refresher training courses;
- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the academy may put in place to protect them;
- Ensure all staff members receive appropriate safeguarding training refresher annually.

**6.4.3 Referrals and casework:** The DSL will assess the information and consider if significant harm has happened or there is a risk that it may happen. If the evidence suggests the threshold of significant harm, or risk of significant harm has been reached; or they are not clear if the threshold is met, then the DSL will contact Ark Head of Safeguarding and or children's social care services. Generally the DSL will inform the parents prior to making a referral however there are situations where this may not be possible or appropriate. The DSL is responsible for the following in relation to referrals and casework:

- Act as a source of support, advice and expertise within the academy;
- Refer all cases of suspected abuse to the local authority children's social care services;
- Refer to Head of Safeguarding/The LADO for all cases which concern a staff member;
- Refer to Head of Safeguarding/ HR for all cases where a person has left due to risk/harm to a child;
- Refer to Head of Safeguarding/ Police for cases where a crime may have been committed;
- Liaise with the Principal to inform of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- Act as a source of support, advice and expertise to staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies;
- Ensure the academy is represented at strategy meetings, child protection conferences, reviews, core groups and other multi-agency meetings;
- Sharing information as appropriate with other agencies and contributing to assessments;
- Ensure the academy carries out their part of any child protection plan;

- Keep the Principal and Ark's Head of Safeguarding informed of issues and ongoing investigations with particular reference to paragraph 9 and ensure there is always cover for their role.

**6.4.4 Records and reporting:** Child Protection records must be kept in an appropriate and useful manner and treated as confidential information. Each academy should have a secure filing system for child protection records. Files should be clearly labelled CP or CIN with initials of child's forename and surname. Files must be kept separately from pupil's general school records and information shared with those who need to have it. Reports will be objective and evidence based; they will distinguish between fact, observation, allegation and opinion. Specifically, the DSL is responsible for the following

- Keep detailed, accurate, secure written records of all child protection concerns and any related referrals;
- When a child leaves the academy, ensure that the child protection file is copied for the new academy or school as soon as possible and transferred to the new academy or school;
- Separately from the main student file - if a child is missing from education, home, care or parents elect to home educate then the child protection file will be copied and the copy forwarded to the Education /Social Care Service;
- Report regularly to the Local Governing Body on child protection issues in the academy;
- Ensuring that all staff and volunteers fully comply with the Academy's policies and procedures and attend appropriate training

## 6.5 The Local Governing Body (LGB)

The Local Governing Body will require **Safeguarding Link Governor and the Designated Safeguarding Lead** to report on the measures they are taking to ensure compliance. Statutory responsibility does not pass to the Local Governing Body or any of its members; however the Local Governing Body performs a vital role in monitoring compliance and challenging the academy to ensure that best practice is followed.

All governors must recognise their safeguarding duties towards children in the academy. LGB governors are required to sign a Code of Conduct confirming this upon joining the LGB and this is renewed annually.

A safeguarding link governor will be appointed to discharge the responsibilities listed below. The link governor will work with the Head of Safeguarding and the Designated Safeguarding Lead to monitor and report back to the LGB in accordance with the Safeguarding Link Governor Role Description, which the Head of Safeguarding will own and review from time to time.

The Local Governing Body will monitor that the following are delivered by the school:

- the academy has the Ark Safeguarding Policy and procedures in place that are consistent with DfE and Local Safeguarding Children Board guidance and locally agreed inter-agency procedures, and the policy is made available to parents on request;
- the academy operates safe recruitment procedures and makes sure that all appropriate checks are carried out on staff and volunteers who work with children;
- the Academy has procedures for dealing with allegations of abuse against teachers and other staff that comply with guidance from Ark, DfE and locally agreed inter-agency procedures;

- a senior member of the Academy's leadership team is designated to take lead responsibility for child protection (the Designated Safeguarding Lead) and that this person is not the Principal unless there are particular reasons for the Principal to be the Designated Safeguarding Lead for a fixed time period;
- the Designated Safeguarding Lead undertakes training in child protection and inter- agency working to Local Safeguarding Children Board (LSCB) standards at appropriate intervals, as and when required but at least annually;
- all staff who work with children undertake training in their Safeguarding responsibilities on a regular refresher basis, at appropriate intervals, as and when required, but at least annually;
- a nominated governor is responsible for liaising with the senior management team to immediately remedy any deficiencies or weaknesses in the Academy's safeguarding arrangements that come to the local governing body's attention;
- where services or activities are provided on the Academy premises by another body, the body concerned has appropriate policies and procedures in place in regard to safeguarding children and child protection and liaises with the Academy on these matters where appropriate;
- that policies, procedures and the discharge of Safeguarding duties are reviewed annually.

To support LGBs in their responsibilities, it is required that the Safeguarding Link Governor undertake safeguarding training provided by Ark. The Chair and other LGB members will have safeguarding refresher at appropriate intervals, as and when required, but at least annually.

## **7. Adoption of this Policy by the academy's LGB**

The academy is able to add to this Policy when it is adopted by the LGB but cannot remove elements or rewrite the Policy in full or in part other than for stylistic or presentational purposes. A final copy of the agreed Policy should be sent to the Head of Safeguarding for information. Where an academy's Policy has not yet been updated with the LGB's approval, or where part of an academy's procedures contradicts aspects of this Policy, this Policy shall have precedence.

## **8. Staff Responsibilities**

Staff have a key role to play in identifying concerns early and provide help for children.

### **8.1 Listening and responding**

All staff receive training in how to listen and respond to children. They will allow the child to speak and only ask open questions to aid clarification.

### **8.2 Record keeping**

- Any member of staff who has concerns about the welfare of a child must share this information with the Designated Safeguarding Lead (DSL) or Deputy Designated Safeguarding Lead (DDSL).
- Staff will make a brief, accurate and verbatim record of the concerns including the child's own words (if a disclosure) or the evidence that has led to the concerns.
- This report is given to the DSL who will analyse risk and refer onwards as necessary and appropriate.



- Referrals where urgent action is required should never be delayed in order for a full report to be written. Information should be passed on immediately and the report followed.
- CP records will be stored securely and away from the main pupil records.

### 8.3 Confidentiality

- All matters relating to child protection are to be treated as confidential and only shared as per the 'working together' guidance.
- Information will only be shared with agencies who we have a statutory duty to share with or individuals within the academy and at Ark Central who 'need to know'.
- All staff are aware that they cannot promise a child that they will keep a secret
- Disciplinary action will be considered for any breach of confidentiality.

### 8.4 Reporting

- Staff will report to the DSL or DDSL any additional concerns, disclosures or observations after the initial referral, not assuming that a referral in itself will protect children.
- Staff will notify the DSL or DDSL of any child on a Child Protection Plan where there is an unexplained absence.
- The DSL or DDSL will be notified of any child who may be close to having a fixed term exclusion or permanent exclusion.

## 9. Child Protection

### 9.1 Abuse

9.1.1 All staff have a professional duty to act on suspicions of abuse, or reported allegations of abuse.

9.1.2 A child may be abused if someone inflicts harm upon them or fails to act to prevent harm. Harm is the ill-treatment or impairment of health and development including, for example, impairment suffered from seeing or hearing the ill-treatment of another. Health includes physical and mental health and development means physical, intellectual, emotional, social or behavioural development.

9.1.3 Abuse may take a number of forms, including physical, sexual or emotional, or neglect. Abuse, neglect and safeguarding issues are rarely standalone events. In most cases multiple issues will overlap with one another. Children may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults or another child or children. The concept of significant harm is the threshold that justifies intervention in family life in the best interests of the child. There are no absolute criteria for what constitutes significant harm. Relevant factors include the severity of ill treatment, the degree of harm, the duration or frequency of abuse or neglect, and the presence of threat or coercion. A single traumatic event may cause significant harm, or a compilation of events which interrupt, change or damage the physical or psychological development of a child.

9.1.4 Signs of possible abuse

Staff and other adults in the academy are well placed to observe any physical, emotional or behavioural signs which indicate that a child may be suffering significant harm. The

relationship between staff, children, parents and the public which foster respect, confidence and trust can lead to disclosure of abuse and or our academy staff being alerted to concerns.

The following list is not prescriptive and many signs listed will not necessarily indicate abuse. They only act as a guide:

- Unexplained injuries, bruising etc
- Unauthorized absences from the academy that do not have a reasonable explanation or exhibit a suspicious pattern
- Significant change in behaviour
- Indications of hunger
- Issues of consistent personal hygiene
- Untreated medical conditions
- Watchful, cautious response to adults
- Aggressive or abusive to others
- Bullying other children or being bullied
- Under-achieving, unable to concentrate
- Avoiding removal of clothing in PE etc
- Truancy, fabricating or stealing
- Inability to trust others and make friends
- Deterioration in general well being
- Comments or language from the child that cause concern

## **9.2 Identifying & Raising Concerns**

9.2.1 All staff have a duty to be alert to the potential indicators of abuse or neglect and aware of the risks potential abusers may pose to recognise concerns and to raise them with the academy Designated Safeguarding Lead with responsibility for child protection. All concerns regarding the welfare of students will be recorded and discussed with the Designated Safeguarding Lead prior to discussion with parents. All staff will immediately report any of the following issues to the Designated Safeguarding Lead or Deputy Safeguarding Lead:

- Any suspicion that a child is injured, marked, or bruised in a way which is not readily attributable to the normal knocks or scrapes received in play/Daily physical activities, any explanation given which appears inconsistent, varied or suspicious,
- Any behaviours which give rise to suspicions that a child may have suffered harm (e.g. worrying drawings or play, language),
- Any concerns that a child may be suffering from inadequate care, ill treatment, or emotional maltreatment,
- Any concerns that a child is presenting signs or symptoms of abuse or neglect,
- Any significant changes in a child's presentation, including non-attendance/unauthorized absences,
- Any hint or disclosure of abuse from any person,
- Any concerns regarding person(s) who may pose a risk to children (e.g. living in a household with children present).

### **9.3 Dealing with allegations against staff**

- 9.3.1 In addition to above 9.2.1, the academy Designated Safeguarding Lead or Principal must advise the Head of Safeguarding of any Safeguarding issue, concern or allegation raised about the practice or behaviour of a member of staff.
- 9.3.2 If the safeguarding issue, concern or allegation is against the Principal, the person receiving the information must contact the Head of Safeguarding. The Ark Procedures on Allegations against teachers and other staff must be followed and the Designated Safeguarding Lead or Principal must advise the Head of Safeguarding if an allegation:
- Could result in, or has resulted in, a strategic case meeting being called by a Local Authority Designated Officer (LADO);
  - Relates to a member of staff and, without prejudice to the case, the Designated Safeguarding Lead judges may result in disciplinary action being taken.

### **10. Induction**

- 10.1 In recognition of the vital importance safeguarding plays in our academies, all staff members are informed of their academy's Safeguarding Policy and Procedures and advice from their Local Safeguarding Children's Board (LSCB) as part of their induction when they start at the academy. All staff members must receive regular refresher training, at appropriate intervals, as and when required, but at least annually to keep up with any relevant safeguarding and child protection developments.

### **11. DBS**

- 11.1 All new employees will undergo DBS checks before commencing work in all but the most exceptional cases and employees with a break in service of more than three months will also be rechecked, and all TUPE'd employees will have a DBS check when they join the network.
- 11.2 Three yearly re-checks cease for academy - based staff but continue for central office staff, volunteers and contractors and any other staff deemed to be high risk, as well as agency staff (the check being done by the Recruitment Agency). Governors and Trustees (the Propriety Body) must have an Enhanced DBS to be checked every four years. Notwithstanding paragraphs 9.2 and 10 all academies will comply with DBS requirements as set out in Part Three of Keeping Children Safe in Education (September 2016).
- 11.3 Ark reserves the right to repeat any check if any information is received that suggests a person may no longer be suitable for continued employment.

### **12. Information and Guidance**

- 12.1 Each academy will insert in **APPENDIX A** of this document a series of Ark or school policy, procedure or guidance documents or links to documents specific to their academy addressing the following topics:
- Protection and wider safeguarding
    - What is Child Abuse/definitions/signs and symptoms
    - Attendance/Children Missing from Education
    - Dealing with Disclosures
    - Signs and symptoms of child sexual exploitation

- Signs and symptoms of female genital mutilation/mandatory reporting
  - Duties under the Counter Terrorism and Security Act 2015 (The ‘Prevent Duty’)
  - Medicine & First Aid
  - Health & Safety
  - Educational visits/Transporting children on school activities
  - Intimate care
  - SEND
  - IT Policy
  - Whistleblowing
  - Definition of Private Fostering
  - Children /young people with Medical Needs
  - Responding to self -harm, suicide, mental health
  - Primary-Secondary transition
  - Internet and /or E-Safety
  - Staff code of conduct
  - Behaviour & Attitudes
    - Behaviour
    - Anti – Bullying and Harassment
    - Anti-Discrimination
    - Use of Reasonable force/Physical Intervention /Positive Handling
    - Images/photography of students
    - Managing allegations against other pupils
    - PSHE & Citizenship /Relationship & Sex Education (RSE)/Spiritual, moral, social and cultural (SMSC)
  - Safety
    - School site security
    - Visitor Management
    - Coping with a school emergency/Emergency response plan
  - HR & Governance
    - Safer recruitment
    - Complaints policy
    - Allegations against teachers & other staff
    - Disqualification under the Childcare Act 2006 (DfE Feb 2015)
    - Safeguarding – requirement for Governors
- 12.2 Each academy may wish to include documentation or links to documentation in addition to those listed above in paragraph 12.1.
- 12.3 **Appendix B** contains the documents referred to in paragraph 1.2 or links to those documents.

12.4 **Appendix C** contains the following documents or links to those documents highlighted in Keeping Children Safe in Education (Sept 2016), as being specific safeguarding issues as follows;

- Child missing from education
- Child missing from home or care
- Child sexual exploitation (CSE)
- Bullying including cyberbullying
- Domestic violence
- Drugs
- Fabricated or induced illness
- Faith abuse
- Female Genital Mutilation (FGM)
- Forced Marriage
- Gangs and youth violence
- Gender based violence / violence against women and girls (VAWG)
- Mental health
- Private fostering
- Preventing Radicalisation
- Sexting
- Teenage relationship abuse
- Trafficking

12.5 The academy Designated Safeguarding Lead (DSL) will ensure, in conjunction with the priorities of the Local Safeguarding Children's Board (LSCB) that all staff are made aware of the contents of these appendices in line with the prevalent safeguarding issues in their local area.

12.6 **Appendix D** contains the network Recruitment Policy which is relevant to safeguarding as it contains information regarding Safer Recruitment and DBS.

### **13. Supporting the child and partnering with parents**

13.1 The academy recognises that the child's welfare is paramount and that good child protection practice and outcome are helped by (but are not solely dependent upon) having a clear understanding of the needs and views of children, and a positive, open and honest working partnership with parents.

13.2 We will provide a secure, caring, supportive and protective relationship for the child. Children will be asked for their views and each child will be heard, although it will be explained that while their views will be taken into account, there is a professional responsibility to take the action that is necessary to ensure the child's safety. Children will be given a proper explanation (appropriate to their age & understanding) of what action is being taken on their behalf and why.

13.3 While, on occasion, we may need to make referrals without consultation with parents, we will make every effort to maintain a positive working relationship with them whilst fulfilling

our duties to protect any child, acting with the advice of the Social services/Local Authority Designated Officer (LADO) as appropriate.

- 13.4 We will endeavour always to preserve the privacy, dignity and right to confidentiality of the child and parents. The Principal or Designated Safeguarding Lead will determine which members of staff need to know personal information and what they need to know to support and protect the child. They will ensure that the appropriate members of staff in particular to the child is aware of any issues which they may need to know so they are best able to support the child.



# Ark Paddington Green Primary Academy

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## **What is Child Abuse? Definitions, signs and symptoms**

The following definitions are taken from ‘*working together to safeguard children*’ HM Government (2015)’. In addition to these definitions, it should be understood that children can also be abused by honour based violence, forced marriage or female genital mutilation. All concerns about a child should be passed on to the designated safeguarding lead or their deputy in accordance with the policy to follow.

### ***What is abuse and neglect?***

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

### ***Physical abuse***

Physical abuse may involve hitting, shaking, throwing, 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.

### **Indicators of physical abuse / factors that should increase concern**

- Multiple bruising or bruises and scratches (especially on the head and face)
- Clusters of bruises – e.g., fingertip bruising (caused by being grasped)
- Bruises around the neck and behind the ears – the most common abusive injuries are to the head
- Bruises on the back, chest, buttocks, or on the inside of the thighs
- Marks indicating injury by an instrument – e.g., linear bruising (stick), parallel bruising (belt), marks of a buckle
- Bite marks
- Deliberate burning may also be indicated by the pattern of an instrument or object – e.g., electric fire, cooker, cigarette
- Scalds with upward splash marks or *tide marks*
- Untreated injuries
- Recurrent injuries or burns
- Bald patches.

Staff should work to form positive relationships with pupils. As such staff should be aware of, and alert to any noticeable injuries. Staff should speak to any pupils who appear to be injured and should ask if the child is OK and ask them to explain the injury. The manner of this conversation should be informal and purely aim to gather information, not to make a judgement or form a case. Staff should raise a concern in cases where:

- the explanation given does not match the injury
- the explanation uses words or phrases that do not match the vocabulary of the child (adult's words)
- no explanation is forthcoming
- the child (or the parent/carer) is secretive or evasive
- the injury is accompanied by allegations of abuse or assault

Staff should be concerned if the child or young person:

- is reluctant to have parents/carers contacted
- runs away or shows fear of going home
- is aggressive towards themselves or others
- flinches when approached or touched
- is reluctant to undress to change clothing for sport
- wears long sleeves during hot weather
- is unnaturally compliant in the presence of parents/carers.
- has a fear of medical help or attention
- admits to a punishment that appears excessive.

### *Emotional abuse*

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent 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 participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although emotional abuse may occur alone.

### **Indicators of emotional abuse**

#### *Developmental issues*

- Delays in physical, mental and emotional development
- Poor school performance
- Speech disorders, particularly sudden disorders or changes.

### *Behaviour*

- Acceptance of punishment which appears excessive
- Over-reaction to mistakes
- Continual self-deprecation (I'm stupid, ugly, worthless etc)
- Neurotic behaviour (such as rocking, hair-twisting, thumb-sucking)
- Self-mutilation
- Suicide attempts
- Drug/solvent abuse
- Running away
- Compulsive stealing, scavenging
- Acting out
- Poor trust in significant adults
- Regressive behaviour – e.g., wetting
- Eating disorders
- Destructive tendencies
- Neurotic behaviour
- Arriving early at school, leaving late

### *Social issues*

- Withdrawal from physical contact
- Withdrawal from social interaction
- Over-compliant behaviour
- Insecure, clinging behaviour
- Poor social relationships

### *Emotional responses*

- Extreme fear of new situations
- Inappropriate emotional responses to painful situations (“I deserve this”)
- Fear of parents being contacted
- Self-disgust
- Low self-esteem
- Unusually fearful with adults
- Lack of concentration, restlessness, aimlessness
- Extremes of passivity or aggression

If staff are concerned about a child they should record their concerns and pass them on to the designated safeguarding lead or their deputy.

### ***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 (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. Children or babies of any age can be the victims of sexual abuse.

## **Indicators of sexual abuse**

### *Physical observations*

- Damage to genitalia, anus or mouth
- Sexually transmitted diseases
- Unexpected pregnancy, especially in very young girls
- Soreness in genital area, anus or mouth and other medical problems such as chronic itching
- Unexplained recurrent urinary tract infections and discharges or abdominal pain

### *Behavioural observations*

- Sexual knowledge inappropriate for age
- Sexualised behaviour or affection inappropriate for age
- Sexually provocative behaviour/promiscuity
- Hinting at sexual activity
- Inexplicable decline in school performance
- Depression or other sudden apparent changes in personality as becoming insecure or clinging
- Lack of concentration, restlessness, aimlessness
- Socially isolated or withdrawn
- Overly-compliant behaviour
- Acting out, aggressive behaviour
- Poor trust or fear concerning significant adults
- Regressive behaviour, Onset of wetting, by day or night; nightmares
- Onset of insecure, clinging behaviour
- Arriving early at school, leaving late, running away from home
- Suicide attempts, self-mutilation, self-disgust
- Suddenly drawing sexually explicit pictures
- Eating disorders or sudden loss of appetite or compulsive eating
- Regressing to younger behaviour patterns such as thumb sucking or bringing out discarded cuddly toys
- Become worried about clothing being removed
- Trying to be 'ultra-good' or perfect; overreacting to criticism.

### ***Neglect***

Neglect is 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 as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- protect a child from physical and emotional harm or danger
- ensure adequate supervision (including the use of inadequate care-givers)
- ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs. Neglect is a lack of parental care but poverty and lack of information or adequate services can be contributory factors. It should be noted that nationally neglect is the most common form of child abuse.

## **Indicators of neglect**

### *Physical indicators of neglect*

- Constant hunger and stealing food
- Poor personal hygiene - unkempt, dirty or smelly
- Underweight
- Dress unsuitable for weather
- Poor state of clothing
- Illness or injury untreated

### *Behavioural indicators of neglect*

- Constant tiredness
- Frequent absence from school or lateness
- Missing medical appointments
- Isolated among peers
- Frequently unsupervised
- Stealing or scavenging, especially food
- Destructive tendencies

## **Pupil Attendance and Children Missing from Education**

The academy has an attendance policy which is shared with staff, parents and pupils as part of induction via the school website, the home handbook and the staff code of conduct.

The attendance policy recognises that all schools have safeguarding duties under section 175 of the Education Act 2002 in respect of their pupils, and as part of this should investigate any unexplained absences and give due regard to this responsibility and the attendance policy is written in accordance with “Children missing education: Statutory guidance for local authorities” (January 2015)

The academy collaborates closely with the education welfare service, other schools and local social services to ensure that children do not go missing from education: no child of compulsory school age is removed from the school roll at the academy without the authorisation of the designated safeguarding lead and without confirmation from the school the pupil is joining or without the academy notifying the education welfare service

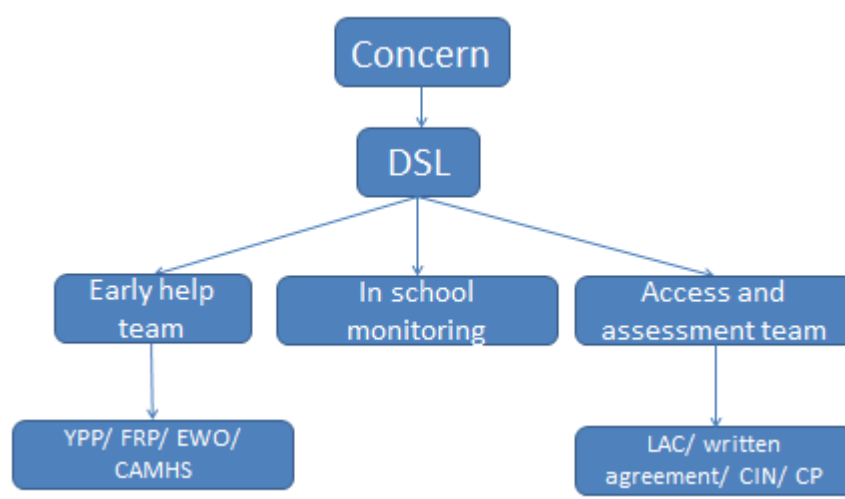
Nationally, pupils with school attendance average of 90% or less are considered persistently absent and therefore at risk of becoming NEET or being the victim of abuse or exploitation. As such, the designated safeguarding lead refers all pupils with an average attendance of less than 90% to the education welfare service and works with families who have children who are at risk of becoming persistently absent in order to improve the attendance of their children.

## Dealing with Disclosures

A member of staff who is approached by a child should listen positively and try to reassure them. They cannot promise complete confidentiality and should explain that they may need to pass information to other professionals to help keep the child or other children safe. The degree of confidentiality should always be governed by the need to protect the child.

Additional consideration needs to be given to children with communication difficulties and for those whose preferred language is not English. It is important to communicate with them in a way that is appropriate to their age, understanding and preference.

All staff should know who the Designated Safeguarding Lead (DSL) is and who to approach if the DSL is unavailable. The DSL or DDSL should be approached first to raise any concerns or safeguarding issues. Ultimately, all staff have the right to contact Ark Head of Safeguarding directly or make a referral to the police or social care directly and should do this if, for whatever reason, there are difficulties following the agreed protocol, e.g. they are the only adult on the school premises at the time and have concerns about sending a child home or an aggressive/violent parent on the premises.



### *What happens next?*

Above is the outline for the procedure following a concern being raised. Academy staff are aware that they may be required to assist at any level of the process if they raised the concern or if they are best placed to follow up as advised by the DSL.

After raising a concern, the member of staff should be informed by the DSL what has happened following the report being made. If they do not receive this information they should be proactive in seeking it out. The DSL may only be able to share information on a need to know basis to staff which will not cover everything but will be enough to provide support to the child.

If staff have concerns that the disclosure has not been acted upon appropriately they might inform the safeguarding governor of the school and/or may ultimately contact the children's services department.

Receiving a disclosure can be upsetting for the member of staff and the academy has a procedure for supporting them after the disclosure. This might include reassurance that they have followed procedure correctly and that their swift actions will enable the allegations to be handled appropriately. The academy provides support for staff via two structures; counselling and through the ARK support network. Staff are encouraged to use these services as appropriate by the DSL or member of the senior leadership with whom the disclosure is discussed.

## **Signs and symptoms of Child Sexual Exploitation**

Child Sexual Exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child’s immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person’s limited availability of choice resulting from their social/economic and/or emotional vulnerability.

Both girls and boys are at risk of sexual exploitation, and it is seriously harmful to children both emotionally and physically. Children and young people often find it very hard to understand or accept that they are being abused through sexual exploitation, and this increases their risk of being exposed to violent assault and life threatening events by those who abuse them.

Signs to look out for include:

- Going missing for periods of time or regularly returning home late.
- Going places that you know they cannot afford.
- Skipping school or being disruptive in class.
- Suddenly acquiring expensive gifts such as mobile phones, jewellery – even drugs – and not being able to explain how they came by them.
- Having mood swings and changes in temperament.
- Noticeable changes in behaviour – becoming secretive, defensive or aggressive when asked about their personal life.
- Wearing age inappropriate clothing
- Displaying inappropriate sexualised behaviours, such as over familiarity with strangers, dressing in a sexualised manner or sending sexualised images by mobile phone (‘sexting’).
- Getting into trouble with the police. Bruises, marks on the body, sexually-transmitted diseases, pregnancy, drug and alcohol abuse or self-harm.
- Repeated phone calls, letters, emails from adults outside family social circle.



## **Signs and symptoms of female genital mutilation/mandatory reporting**

FGM is an illegal, extremely harmful practice and a form of child abuse and violence against women and girls. The academy recognises its responsibility and staff are provided with training on recognising signs and symptoms of FGM and are aware of their responsibility to report known FGM cases.

As FGM is a form of child abuse, staff have a statutory obligation under national safeguarding protocols (e.g. Working Together to Safeguard Children 2015) to protect girls and women at risk of FGM. Since October 2015 registered professionals in health, social care and teaching also have a statutory duty (known as the Mandatory Reporting duty) to report cases of FGM to the police non-emergency-safecy number 101 in cases where a girl under 18 either discloses that she has had FGM or the professional observes physical signs of FGM. If a disclosure is made regarding FGM staff should refer to the DSL as an immediate risk.

Once concerns have been raised about FGM, there should also be a consideration of potential risk to other girls in the family and practicing community. Staff should be alert to the fact that any one of the girl children amongst these groups could be identified as being at risk of FGM and may need to be safeguarded from harm.

## **Duties under counter terrorism and extremism act 2015 (The Prevent Duty)**

Ark Paddington Green Academy recognises that the prevent duty detailed within the Counter-Terrorism and Security Act (2015) means that all schools must give due regard to the need to prevent young people being drawn into terrorism

While also recognising that “safeguarding vulnerable people from radicalisation is no different from safeguarding them from other forms of harm” (*HM Government Prevent Strategy, 2011*), Ark Paddington Green Academy also recognises that at the current time a specific emphasis and focus on preventing radicalisation and the risk of young people being drawn into terrorism is appropriate

All Ark Paddington Green Academy staff understand that radicalisation is the process by which people come to support terrorism and extremism and, in some cases, to then participate in terrorist groups

As such, Ark Paddington Green Academy will not tolerate the expression of extremist views, whether expressed by pupils, parents, staff or visitors. Any expressions of extremist views (either verbal, visual or written) must be urgently referred to the Designated Senior Person for Child Protection using the procedures detailed within this policy

Extremist views and extremism can be defined as the vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. Also included in the definition of extremism are calls for the death of members of our armed forces, whether in this country or overseas (*HM Government Prevent Strategy, 2011*)

Ark Paddington Green Academy ensure that appropriate internet filters are in place to prevent access to extremist material online

In addition to preventing access to extremist views, Ark Paddington Green Academy also reduces the risk of pupils becoming radicalised and/or drawn into terrorism by providing a curriculum which provides learning opportunities to challenge extremist narratives and which promotes critical analysis of complex topics and tolerance of different views and beliefs

Ark Paddington Green Academy also recognises that schools can build pupils' resilience to radicalisation by promoting fundamental British values and as a result regularly audits the extent to which the value of democracy, the rule of law, individual liberty and the tolerance of different faiths are promoted across the school

All staff at the academy are aware of the signs and symptoms that a young person may be being drawn towards terrorism:

- Being in contact with extremists or extremist recruiters
- Changing the style of dress or personal appearance to accord with a group
- Behaviour becoming increasingly centred around an extremist ideology, group or cause
- Possession of material or symbols associated with an extremist cause
- Evidence of fraudulent identity/use of fraudulent documents
- Familial travel to locations linked to extremism
- Verbal or written support for terrorist attacks or groups
- Verbal or written support for extremist causes
- Verbal or written references to extremist acts or causes
- Accessing extremist websites, media or literature
- Losing interest with peers or activities not associated with the extremist ideology, group or cause

Ark Paddington Green Academy staff are also aware of the risk posed to our pupils from terrorist organisations like ISIL using social media to radicalise and recruit young people; they are aware that ISIL propaganda promotes the idea that aligning with ISIL provides status and belonging for Sunni Muslims and that it is a duty for Muslims to travel to conflict zones. As a result, staff are alert to any pupil discussion or disclosure of such ideology and to the importance of teaching pupils to stay safe online

In addition to staff training specific to the prevent duty, the designated senior person(s) at Ark Paddington Green Academy will undertake regular training in order to enhance their knowledge and understanding of the policies and procedures regarding the prevent duty, including the National College of Policing and Metropolitan Police Service General Channel Awareness Training which explores the channel process which assesses the vulnerability of a person being drawn into terrorism by using a consistently applied vulnerability assessment framework built around three criteria. The three criteria are:

- a. **Engagement** with a group, cause or ideology;
- b. **Intent** to cause harm; and
- c. **Capability** to cause harm.

All academy staff will record and report any expressions of extremist views, any possible engagement with extremist groups, causes or ideologies, any suspected intent to cause harm and any capability to cause harm on the part of any pupil or any person connected to a pupil. Such reporting and recording will be carried out using the reporting procedures for staff detailed within this policy.

## **Prevention of Gang involvement and youth violence**

The academy recognises that it has a duty and a responsibility to protect pupils from gang involvement and youth violence. It also recognises that it is well established that success in learning is one of the most powerful indicators in the prevention of youth crime.

The academy also acknowledges that primary schools are also increasingly recognised as places where early warning signs that younger children may be at risk of getting involved in gangs can be identified.

All academy Staff must be able to recognise the signs and symptoms of gang involvement and therefore, must have an understanding of the groups which could be identified as 'gangs'. There are three such groups:

**Organised Criminal Gangs** – usually made up of adults and are involved in targeted organised crime (robbery, extortion, burglary, kidnapping etc).

**Street Gangs:** made up of adolescents and young adults, usually centered around a common identity, or territory, or ethnic group/religion, and whose activity is centered on criminal activity and violence.

**Peer Groups:** young people who associate with each other in groups, only some of whom may be involved in the fringes of delinquency, or actual acts of delinquency.

The academy understands that pupils who are exposed to any such group listed above, either through peers or through family members, are at risk of abuse (emotional, physical and/or sexual abuse or sexual exploitation) and that any pupils involved in a Peer Group (as defined above) are at risk of their involvement with gangs escalating to Street Gangs or Organised Criminal Gangs.

For Primary School aged children, Home Office guidance published in March 2015 '[Preventing youth violence and gang involvement](#)' highlights some specific risk factors relating to likely involvement with gangs and youth violence:

Factor	Strong risk factors for youth violence (age group)	Strong risk factors for gang involvement (age group)
Child	<ul style="list-style-type: none"> <li>* Troublesome (7-9; 10-12)</li> <li>* High daring (10-12)</li> <li>* Positive attitude towards delinquency (10-12)</li> <li>* Previously committed offences (7-9)</li> <li>* Involved in anti-social behaviour (10-12)</li> <li>* Substance use (7-9)</li> <li>* Aggression (7-9)</li> <li>* Running away and truancy (7-9; 10-12)</li> </ul>	<ul style="list-style-type: none"> <li>* Marijuana use (10- 12)</li> </ul>
Child's Family	<ul style="list-style-type: none"> <li>* Disrupted family (7- 9; 10-12)</li> <li>* Poor supervision (10-12)</li> </ul>	
School		<ul style="list-style-type: none"> <li>* Low academic achievement (10- 12)</li> <li>* Learning disability (10-12)</li> </ul>
Child's peer Group	<ul style="list-style-type: none"> <li>* Peers involved in crime and/or anti-social behaviour (7-9; 10-12)</li> </ul>	
Community		<ul style="list-style-type: none"> <li>* Marijuana availability (10-12)</li> <li>* Young people in the community involved in ASB (10-12)</li> </ul>

More broadly, staff must be able to recognise the following as indicators of possible gang involvement:

- Sudden loss of interest in school, loss of attendance or achievement
- Starting to use new or unknown slang words
- Coming into unexplained money or possessions
- Staying out late without reason
- Changes in appearance, wearing a style or “uniform” that is the same as other young people
- New nickname
- Unexplained injuries
- Graffiti style “tags” on possessions, school books, walls
- Constantly talking about another young person who has a lot of influence over them
- Broken off from old friends and now spends most of time with one group.
- Increased use of social work network sites
- Adopting certain codes of group behaviour, ways of talking, gestures or hand movements
- Scared when entering certain areas, and anxious about the presence of unknown youths
- Expressing aggressive or intimidating views towards other groups of young people, some of whom may have been friends before

When a pupil is identified as being at risk of being involved with gangs or youth violence, these concerns must be shared with the DSL using the safeguarding procedures detailed within this policy and where a judgement is made that input from external agencies is needed, the DSL will seek advice from the local authority, but also from the designated safer schools officer and from the Westminster Integrated Gangs Unit based at Frampton Street

There are specific topics and skills that the academy recognises it is important to teach pupils (in an age appropriate manner) in order to highlight the risks of gang involvement to pupils and to prevent gang involvement or youth violence:

- 'Joint Enterprise'
- Anti-social behaviour and its impact
- Recognising and addressing 'Peer Pressure'
- Conflict resolution skills
- Definitions of violence and abuse

The academy recognises that children who become involved in gangs or youth violence pose a risk to themselves and others and may at times be in possession of prohibited items. As a result, the academy will search pupils and confiscate prohibited items if school leaders believe a pupil may be in possession of a weapon (including knives), alcohol, illegal drugs, tobacco (and related paraphernalia), pornographic material, fireworks or stolen items

School leaders will use the powers provided in the Department of Education guidance '*Use of Reasonable Force – guidance for headteachers, staff and governing bodies (July 2013)*' to search pupils without consent if a concern is raised that the pupil(s) in question may be in possession of a weapon or illegal drugs

The academy, all searches of pupils will be conducted in the presence of at least two members of staff and in the presence of a senior leader; in all instances of physical intervention, the staff involved are required to record the use of physical intervention with a written report completed on the academy proforma for recording the use of physical intervention. This report must be given directly to the DSL immediately.

## **Medicine & First Aid**

If it is necessary for a child to receive medicine during the school day parents must fill out a permission form from the school office and discuss their child's needs with a member of staff before the school agrees to administer medicines or medical care. It must be made clear to parents that staff administration of medicines is voluntary.

Any member of staff giving medicine to a pupil should check:

- The pupil's name
- Written instructions provided by parents or doctor
- Prescribed dose
- Expiry date

Particular attention should be paid to the safe storage, handling and disposal of medicines.

The Head teacher has prime responsibility for the safe management of medicines kept at school. This duty derives from the Control of Substances Hazardous to Health Regulations 2002 (COSHH). School staff are also responsible for making sure that anyone in school is safe. Medicines should generally be kept in a secure place, not accessible to pupils but arrangements must be in place to ensure that any medication that a pupil might need in an emergency is readily available.

## **Health & Safety**

The academy recognises it has a responsibility to ensure the safety of all staff, pupils and visitors whilst they are on site. The academy adheres to its health and safety policy and subjects itself to an external audit led by the Ark Health and Safety team on an annual basis. The academy is also regularly inspected by the health and safety executive. Responsibility for the upkeep of the health and safety policy lies with the Director of Operations and the Premises Manger.

## **Educational visits/Transporting children on school activities**

Whilst pupils are on a trip organised by, or with staff from, the academy they remain under the same care as when on site. Staff are expected to report any safeguarding concerns and trip leaders are responsible for briefing all relevant staff on safeguarding concerns whilst on the trip/ visit.

If a safeguarding concern arises whilst on a trip/ visit the DSL should be notified. The DSL will advise parents/ staff on the trip as required. Staff should evaluate whether or not the concern poses an immediate risk to pupils and if so, the DSL should be contacted immediately. If the DSL is unavailable another member of SLT should be alerted.

## **Intimate care**

It is essential that every child is treated as an individual and that care is given as gently and as sensitively as possible. As far as possible, the child should be allowed to exercise choice and should be encouraged to have a positive image of his/her own body. It is important for staff to bear in mind how they would feel in the child's position. Given the right approach, intimate care can provide opportunities to teach children about the value of their own bodies, to develop their safety skills and to enhance their self esteem. Parents and staff should be aware that matters concerning intimate care will be dealt with confidentially and sensitively and that the young persons' right to privacy and dignity is maintained at all times.

Sometimes it will be necessary for staff to aid a child in getting dressed or undressed particularly in Early Years and Nursery. Staff will always encourage children to attempt undressing and dressing unaided.

Children may seek physical comfort from staff (particularly, but not limited to, children in Nursery and Reception). Where children require physical support, staff need to be aware that physical contact must be kept to a minimum and be child initiated. When comforting a child or giving reassurance, the member of staff's hands should always be seen and a child should not be positioned close to a member of staff's body which could be regarded as intimate. If physical contact is deemed to be appropriate staff must provide care which is suitable to the age, gender and situation of the child.

If a child touches a member of staff in a way that makes him/her feel uncomfortable this can be gently but firmly discouraged in a way which communicates that the touch, rather than the child, is unacceptable.

If a member of staff feels a child has touched them in an inappropriate manner, with intent to make him/her feel uncomfortable, or feels that the child has touched them in a sexualised manner, then the member of staff should inform the Designated Safeguarding Lead immediately. The DSL should then investigate the matter and decide on appropriate actions which may involve reporting the incident to the police.

## **Soiling**

Intimate care for soiling should only be given to a child after the parents have given permission for staff to clean and change the child. Parents may sign a permission form so that the Early Years staff can clean and change their child in the event of the child soiling themselves.

If a parent does not give consent, the school will contact the parents or other emergency contact giving specific details about the necessity for cleaning the child. If the parents/carers or emergency contact is able to come within a few minutes, the child is comforted and kept away from the other children to preserve dignity until the parent arrives. Children are not left on their own whilst waiting for a parent to arrive, an adult will stay with them, giving comfort and reassurance. The child will be dressed at all times and never left partially clothed.

If a parent/carers or emergency contact cannot attend, the school seeks to gain verbal consent from parents/carers for staff to clean and change the child. This permission will be sought on each occasion that the child soils him or herself.

If the parents and emergency contacts cannot be contacted the Head teacher will be consulted. If put in a situation where the child is at risk, staff will act appropriately and may need to come into some level of physical contact in order to aid the child.

When touching a child, staff should always be aware of the possibility of invading a child's privacy and will respect the child's wishes and feelings.

If a child needs to be cleaned, staff will make sure that:

- Protective gloves are worn
- The procedure is discussed in a friendly and reassuring way with the child throughout the process
- The child is encouraged to care for him/herself as far as possible
- Physical contact is kept to the minimum possible to carry out the necessary cleaning e  
Privacy is given appropriate to the child's age and the situation
- All spills of vomit, blood or excrement are wiped up and flushed down the toilet
- Any soiling that can be, is flushed down the toilet
- Soiled clothing is put in a plastic bag, unwashed, and sent home with the child

All staff must be familiar with normal precautions for avoiding infection, must follow basic hygiene procedures and have access to protective, disposable gloves.

## **SEND**

Whilst all schools have statutory responsibilities for students with Special Educational Needs and Disabilities (SEND) as covered by the special educational needs and disabilities code of practice (DfE 00205 2013) we support our academies to go above and beyond this in four distinctive ways:

- Early identification.
- Forensic teaching.
- High impact intervention.
- Review and response.

### **Early identification**

Our academies are data rich environments and the six weekly data collection for core subjects is used to monitor the academic progress of every child and highlight both emerging issues and the impact of any intervention. The weekly review of behaviour data highlights where students are displaying behavioural problems.

### **Forensic teaching**

*We train our teachers to understand the needs of every child they teach, and to systematically and thoroughly review the progress each child is making.*

Our teachers are trained to understand the needs of each child in their class so that they can plan to meet those needs appropriately. For children with identified SEN this can mean adapting their teaching to ensure rapid catch up or in some cases simply ensuring that the child can access the curriculum fully.

We prioritise this training and have designed specific modules for every teacher from those on our initial teacher training programme, through middle and senior leadership



programmes. Our inclusion team provide bespoke whole school training to ensure that all teachers are able to meet the needs of the children in their classes. This includes teaching reading and writing, techniques for meeting the needs of dyslexic and autistic children, de-escalating challenging behaviour and creating communication friendly classrooms.

### **High impact intervention**

*We support the use of specific high impact interventions and teaching techniques that have proven impact in addressing the most common needs our students present.*

When a problem is highlighted the academy identifies, implements and reviews the most appropriate intervention for each individual student (see Table 1). These range from adapted teaching techniques in the mainstream classroom to specific interventions to support students with particular learning needs. We train school staff in a number of interventions that have been proven to have the most significant impact across our network and further afield in addressing commonly encountered Special Educational Needs.

	<b>Wave 1: Mainstream classroom</b>	<b>Wave 2: School-based additional intervention</b>	<b>Wave 3: Specialist intervention</b>
<b>Literacy (inc speaking, listening and communication)</b>	Oral language project: Secondary Talk Drive for Literacy English Mastery	Narrative intervention and vocabulary enrichment Read Write Inc Fresh Start LIT (literacy acceleration programme)	Speech and Language therapy Occupational therapy Educational Psychology input Child and Adolescent Mental Health (CAMHS)
<b>Numeracy</b>	Mathematics Mastery	Pre teaching Basic skills curriculum Core skills curriculum	P2Be (school-based emotional and therapeutic support)
<b>Social, emotional and mental health needs</b>	P2Be (KS3 school-based emotional and therapeutic support) KS4 Counsellor and Psychotherapist		

*Table 1: High impact interventions*

The class teacher is responsible for the progress of each child in their class and reviewing the impact of any intervention. Where progress and/or behaviour remain a significant cause for concern, despite targeted teaching and support, heads of faculty in consultation with the SENCo will determine whether to refer the student for specialist assessment.

Where such an assessment confirms that the student has a learning difficulty which requires special educational provision, the SENCO places the student on the SEN register at SEN Support.

School leadership teams review the progress of all students every six weeks and make appropriate responses to this data. They report numbers on the SEN register and exclusions termly to the LGB and ARK Schools.

## **Whistleblowing**

The Ark Schools Whistleblowing Policy ensures that procedures are in place to enable staff to raise concerns regarding serious wrongdoing without fear of reprisal and to do so with confidence that there will be a fair and impartial investigative procedure through which they will receive appropriate feedback.

The Ark Schools Whistleblowing Policy is applicable to concerns regarding wrongdoing within Ark Schools in relation to matters such as fraud, malpractice, mismanagement, breach of health and safety law or any other illegal or unethical act either on the part of management, the Governing Body or by fellow employees.

All employees and volunteers at the academy will be directed as to where to find the Ark Schools Whistleblowing Policy as part of the induction process and it is signposted within the Code of Conduct which is issued to all staff as part of induction.

The Code of Conduct can be found by academy staff here: <T:\Academy wide\Safeguarding>

Similarly, all employees and volunteers are issued with the most recent edition of Keeping Children Safe in Education which informs readers that where they are concerned that the designated senior person is not taking appropriate steps to keep a child or children safe, they should contact social care directly.

## **Definition of Private Fostering**

A private fostering arrangement is one that is made privately (without the involvement of a local authority) for the care of a child under the age of 16 years (under 18, if disabled) with someone other than a parent or close relative, in their own home, with the intention that it should last for 28 days or more. It is not private fostering if the arrangement was made by social services. Examples of private fostering situations include:

- children and teenagers living apart from their families for a variety of reasons e.g. if a parent is ill, has had to temporarily move for work or there has been an argument within the family
- children with parents working or studying elsewhere in the UK
- children with parents overseas
- children on holiday exchanges.

Current arrangements for the regulation of private fostering originate from concern following the death of Victoria Climbié in 2000. Victoria was privately fostered by her great aunt. Arrangements were codified in the Children Act 2004. Following this, the Children (Private Arrangement for Fostering) Regulations 2005 set out the duties of local authorities in their arrangements for private fostering, and national minimum standards for local authorities were published in 2005. Foster carers or families should inform the local authority if there is a child at risk of, or subject to private fostering. If a member of staff suspects a child is in Private Foster Care without informing the local authorities they should record this as a concern and inform the DSL.

## **Children /young people with medical needs**

There will be occasions when children are temporarily unable to attend school on a full time basis because of their medical needs. These children and young people are likely to be:

- children and young people suffering from long-term illnesses
- children and young people with long-term post-operative or post-injury recovery periods
- children and young people with long-term mental health problems

The phrase “long-term” defines any period exceeding 15 continuous school days of absence from school because of medical needs.

Where it is clear that an absence will be for more than 15 continuous school days then the school should discuss further with Ark Central and their Local Authority and this should not be delayed until the 16<sup>th</sup> day of absence.

It is important that the referring school must notify the School Nurse service at the point it is identified that the child or young person medical need is preventing their attendance at school.

At all times during the period of absence the young person will remain on the roll of their home school and the home school will retain ultimate educational responsibility for the young person.

### **Referral to the Local Authority Education Inclusion Service:**

Referral to the Education Inclusion Service (EIS) must be made by the young person’s home school and must be made via the Education and Inclusion Service referral form. Referrals should normally be supported by either:

- a Hospital Consultant
- a Senior Clinical Medical Officer
- a Consultant Child Psychiatrist
- a General Practitioner (GP)
- an Education Psychologist

## **Responding to self-harm, suicide, mental health**

The academy recognises that in order for pupils to be successful, the academy and all academy staff have a role to play in supporting them to be resilient and mentally healthy. In addition, it is understood that mental health problems can themselves be a sign or symptom of connected safeguarding concerns for a young person and/or leave them vulnerable to other specific safeguarding issues. The academy also recognises that the early identification of mental health problems is critical in seeking to prevent the dangerous outcomes they can lead to such as suicide, self-harm or suicidal ideation.

The PSHE curriculum at the academy actively teaches pupils to approach matters of mental health in the same manner they would approach matters of physical health: seek advice from medical professionals, allow time for healing or recovery, plan to manage any symptoms as effectively as possible and seek support and comfort.

The academy also acknowledges that any stigma which is allowed to be associated with mental health problems and any condemnation of young people presenting with self-harming behaviours undermines all attempts to promote good mental health and to address mental health problems.

Academy staff will also challenge the expression of views from pupils, colleagues or parents that mental health problems and self-harming behaviours are unimportant or dishonourable and where necessary, escalate such matters to the senior leadership team.

Staff recognise that pupils experiencing a range of behaviour or emotional problems that are outside of the normal range of their age or gender could be displaying signs or symptoms of mental health problems. Such problems could include emotional disorders (phobias or anxiety states), conduct disorders (defiance or ASB), hyperkinetic disorders (attention and disturbance), developmental delays, attachment difficulties or eating disorders.

School leaders involved in pastoral care and safeguarding meet on a weekly basis at the academy. Where concerns are raised that a pupil may be experiencing mental health problems, the concerns will be shared with the designated safeguarding lead and then with the pupil and with the family before deciding together the best approach. This might involve completing a strengths and difficulties questionnaire (SDQ), making a referral to the school based counselling services or making a referral to local healthcare professionals such as CAHMS or the local GP.

Where mental health problems present a persistent barrier to learning, it may be appropriate to identify the pupil has having SEN (Special Educational Needs) and such a decision should be taken by the academy SENCO in collaboration with the designated safeguarding lead.

All staff at the academy understand that certain individuals or groups are more at risk of mental health problems than others and that the risk factors are cumulative. Staff also understand that there are many protective factors and therefore work together with colleagues, pupils, families and other professionals to promote such protective factors (see table of protective and risk factors on the next page).

In addition to the whole-academy PSHE curriculum, protective factors are also promoted by having clear policies on behaviour and bullying and by quickly addressing negative peer influences using the academy behaviour policy. Drop-in counselling services such as Place 2Be are also provided and there is an emphasis on positive classroom management based around *using the least invasive form of intervention*. Most importantly the academy has high expectations for all pupils academic success and has robust systems and procedures in place for supporting pupil achievement

Staff recognise that significant life events can lead to mental health problems for some children regardless of the number of risk and protective factors in their lives. These may include loss or separation, life changes or traumatic events and staff are alert to the need to offer immediate intervention where necessary in response to such events and know to seek advice about such matters from the designated safeguarding lead or the project managers of the in-school counselling service

Despite the best efforts of all staff, the more dangerous outcomes of mental health problems (self-harm and suicidal ideation) cannot always be prevented. In such instances, the academy will make every effort to address them sensitively and effectively in partnership with families, healthcare professionals and other extended services.

Where self-harm, threats of self-harm or suicidal ideation are known to have taken place, staff must inform the designated safeguarding lead immediately. It may be necessary in such circumstances for the pupil to be taken to the local accident and emergency centre, to receive first aid at school or to have an emergency GP appoint arranged by the family. All such decisions would be taken by the designated safeguarding lead in collaboration with the pupil and the family where appropriate to do so.

**Table 1: Risk and protective factors for child and adolescent mental health**

Taken from: [Mental health and behaviour in schools - Departmental Guidance for Schools \(March 2016\)](#)

	<b>Risk factors</b>	<b>Protective factors</b>
<b>In the child</b>	<ul style="list-style-type: none"> <li>• Genetic influences</li> <li>• Low IQ and learning disabilities</li> <li>• Specific development delay or neuro-diversity</li> <li>• Communication difficulties</li> <li>• Difficult temperament</li> <li>• Physical illness</li> <li>• Academic failure</li> <li>• Low self-esteem</li> </ul>	<ul style="list-style-type: none"> <li>• Being female (in younger children)</li> <li>• Secure attachment experience</li> <li>• Outgoing temperament as an infant</li> <li>• Good communication skills, sociability</li> <li>• Being a planner and having a belief in control</li> <li>• Humour</li> <li>• Problem solving skills and a positive attitude</li> <li>• Experiences of success and achievement</li> <li>• Faith or spirituality</li> <li>• Capacity to reflect</li> </ul>
<b>In the family</b>	<ul style="list-style-type: none"> <li>• Parental conflict inc. domestic violence</li> <li>• Family breakdown (including where children are taken into care or adopted)</li> <li>• Inconsistent or unclear discipline</li> <li>• Hostile and rejecting relationships</li> <li>• Failure to adapt to a child’s changing needs</li> <li>• Any form of child abuse or neglect</li> <li>• Parental psychiatric illness</li> <li>• Parental criminality, alcoholism or disorder</li> <li>• Death and loss – including loss of friendship</li> </ul>	<ul style="list-style-type: none"> <li>• At least one good parent-child relationship (or one supportive adult)</li> <li>• Affection</li> <li>• Clear, consistent discipline</li> <li>• Support for education</li> <li>• Supportive long term relationship or the absence of severe discord</li> </ul>
<b>In the school</b>	<ul style="list-style-type: none"> <li>• Bullying</li> <li>• Discrimination</li> <li>• Breakdown in or lack of positive friendships</li> <li>• Deviant peer influences</li> <li>• Peer pressure</li> <li>• Poor pupil to teacher relationships</li> </ul>	<ul style="list-style-type: none"> <li>• Clear policies on behaviour and bullying</li> <li>• ‘Open door’ policy for children to raise problems</li> <li>• A whole-school approach to promoting good mental health</li> <li>• Positive classroom management</li> <li>• A sense of belonging</li> <li>• Positive peer influences</li> </ul>
<b>In the community</b>	<ul style="list-style-type: none"> <li>• Socio-economic disadvantage</li> <li>• Homelessness</li> <li>• Disaster, accidents, war or other overwhelming events</li> <li>• Discrimination</li> <li>• Other significant life events</li> </ul>	<ul style="list-style-type: none"> <li>• Wider supportive network</li> <li>• Good housing</li> <li>• High standard of living</li> <li>• High morale school with positive policies for behaviour, attitudes and anti-bullying</li> <li>• Opportunities for valued social roles</li> <li>• Range of sport/leisure activities</li> </ul>

## Primary-Secondary transition

Senior members of staff oversee the transition from Primary to secondary school and all pupil files are promptly shared with new provisions. When a child joins the academy,

information is requested from their previous educational establishment concerning safeguarding and SEN. This is stored in the relevant files and referred to when required.

## **Internet and E-Safety**

The academy recognises that internet use is a necessary tool for learning and that pupils use the internet widely outside school and need to learn how to evaluate internet information and to take care of their own safety and security. As a result, the academy has a duty to provide students with quality internet access as part of their learning experience.

The purpose of internet use in the academy is to raise educational standards, to promote pupil achievement, to support the professional work of staff and to enhance the school's management functions.

When using the internet at the academy, pupils will be taught what usage is appropriate and what is not and pupils will be given clear objectives for internet use.

The extent to which pupils are able to direct their own learning online in school will reflect the age, ability and curriculum requirements. On an individual basis it will also reflect pupils' proven ability to use the internet and associated equipment responsibly.

The academy recognises the value of email communication between staff and parents. However, staff are only permitted to use their official, school-provided email account for such communications.

The academy takes its responsibility for preventing pupils from accessing inappropriate content online very seriously and the academy's internet service includes filtering appropriate to the age and maturity of pupils. If staff or pupils discover unsuitable sites, the URL will be reported to the School e-Safety Coordinator, the designated safeguarding lead or the director of operations – one of whom will investigate and take necessary action in collaboration with IT Support Staff.

In addition to the age-related filtering provided by the academy's internet service, a walled garden or "allow list" restricts access to a list of approved sites (such lists inevitably limit pupils' access to a narrow range of content) and dynamic content filtering examines web page content or email for unsuitable words.

The academy will control access to social media and social networking sites – preventing access to them on electronic equipment provided to pupils by the school and on the academy network.

Regardless of when and where they are using social networks or social media, the academy will teach pupils to ensure their safety online by never giving out personal details online which may identify them or their location to strangers. This will form part of the PSHE curriculum.

Where academy staff have concerns about a pupil's use of social media or the internet, this will either be discussed with their family or the DSL or both.

As part of new staff induction and through the code of conduct, staff are told that it is necessary to ensure privacy and security settings on their own social networking profiles are in place to prevent contact with pupils and families.

Academy staff are also informed as part of new staff induction and through the code of conduct that they must not post material which damages the reputation of the school or which causes concern about their suitability to work with children and young people.

Cyberbullying is bullying which uses electronic devices and online platforms such as messaging services, chat rooms and websites to commit deliberately hurtful behaviours which can be defined as bullying in reference to the definition provided in the anti-bullying section of this policy and it will be dealt with as such.

## **Staff code of conduct**

All staff and volunteers are issued with the Academy Code of Conduct during induction and familiarize themselves with its contents.

The Code of Conduct states the aim of creating a secure, safe and inspirational learning environment and details the expectations required of all staff members in order to achieve this stated aim.

The Code of Conduct can be found here [establishes](#) how the academy expects its staff to approach all aspects of school-life, including:

- Communication with pupils, parents and colleagues
- Ensuring orderly behaviour
- Health and Safety Procedures
- Safeguarding and Child Protection



## **Behaviour**

The academy behaviour policy cover topics as including rewards, consequences and prohibited actions. It is written with equal opportunities in mind and with a view to keeping all children physically and emotional safe. All staff at the academy have read the behaviour policy and are aware of its links with the safeguarding policy.

## **Anti – Bullying and Harassment**

The academy defines bullying as deliberately harmful behaviours, which repeatedly, over time, target a specific person(s) for whom it is difficult to defend themselves. There are many such harmful behaviours, however the three main types are:

Physical (e.g. hitting, kicking, theft),

Verbal (e.g. racist, sexist or homophobic remarks, threats, name-calling), and

Emotional (e.g. isolating an individual from the activities and social acceptance of their peer group).

The academy aims to create a positive learning environment which promotes the development of children in the fullest sense and their learning and success in school. The academy believes bullying is anti-social, it affects everyone in the community and therefore, it will not be tolerated.

Pupils who have been bullied, or who have witnessed bullying, may demonstrate any of (but not limited to) the following: changed behaviours (including possibly becoming nervous or shy), absenteeism or truancy, feigned illnesses, self-harm.

All Academy Staff must be alert to the symptoms and signs of bullying and report them, in accordance with school procedures, to a middle or senior leader with responsibility for pastoral care.

The academy aims to establish a culture of trust with pupils, parents and staff. All are encouraged to share concerns about any aspects of school-life with senior teachers.

When an incidence of bullying is found to have occurred, the academy will take the following steps to support the victim(s):

- Providing the opportunity to be referred for in-school therapy or counselling
- Providing the opportunity to speak with a member of staff of their choosing
- Informing key staff to ensure supervision, monitoring and support across the school
- Providing the opportunity for a structured reconciliation meeting led by senior staff
- Providing the opportunity for parents to discuss the matter and its implications with senior teachers

When an incidence of bullying is found to have occurred, the academy will take the following steps to address the perpetrator(s):

- Implement a serious consequence which involves an aspect of isolating them from their victim(s). This may or may not include fixed-term exclusion, internal exclusion or detentions
- A parent meeting will be arranged which directs parents to ensure parents take action to address and improve the behaviour of their child

The academy continually strives to ensure pupils, staff and parents are aware of all issues relating to safeguarding, including bullying, and does this through its PSHE Curriculum,

new-staff induction, new-pupil induction, assemblies, home-visits, the work of the in-school counselling service, display work and other events.

## **Anti-Discrimination**

The Equality Act 2010 outlines the three aims of the general duty to have due regard for Equality, across all organisations:

- Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act 2010.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- Foster good relations across all protected characteristics – between people who share a protected characteristic and people who do not share it.

Specifically, due regard is to be given within organisational life in order to:

- Remove or minimise disadvantages
- Take steps to meet different needs
- Encourage participation when it is disproportionately low.
  
- The academy has a strong commitment to fairness and equality in everything that we do.
- The academy endeavours to ensure that everyone is treated fairly and with respect.
- The academy works hard to make sure that the academy is a safe and secure environment for everyone.
- The academy recognises that people have different needs, and we understand that treating people equally does not always involve treating them all exactly the same.
- The academy recognises that for some pupils extra support is needed to help them to achieve and be successful.
- The academy tries to make sure that people from different groups are consulted and involved in our decisions, for example through talking to pupils and parents/carers.
- The academy aims to make sure that no-one experiences harassment, less favourable treatment or discrimination because of their age; any disability they may have; their ethnicity, colour or national origin; their gender; their gender identity or reassignment; their marital or civil partnership status; being pregnant or having recently had a baby; their religion or beliefs; their sexual identity and orientation.

The academy welcomes our general duty under the Equality Act 2010 to have due regard to the need to eliminate discrimination; to advance equality of opportunity; and to foster good relations.

The academy also welcomes specific duties to publish information about our school population; to explain how the academy has due regard for equality; and to publish equality objectives which show how the academy plans to tackle particular inequalities or disadvantages.

Meeting the academy's duties to promote community cohesion, and the spiritual, moral, social and cultural development of pupils, also supports how we meet the needs of different groups of pupils and how we foster good relations.

The academy welcomes the emphasis in the Ofsted inspection framework on the importance of narrowing gaps in achievement which affect, amongst others:

- pupils from certain ethnic and cultural backgrounds
- pupils who are supported by the pupil premium
- pupils who are disabled
- pupils who have special educational needs

### **The Public Sector Equality Duty**

The information provided in this section shows how we are meeting the public sector equality duty. The academy is required to have due regard for the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it.

The information below is a summary of how we have due regard to the need to eliminate discrimination, harassment and victimisation. Please contact us if you would like to see copies of any of our school policies.

- The academy is aware of the requirements of the Equality Act 2010 that it is unlawful to discriminate, treat some people less fairly or put them at a disadvantage.
- School governors, and Ark trustees, have been briefed on their legal responsibilities under the Equality Act 2010, and have also been involved in supporting the school to meet its public sector equality duty.
- The academy tries to keep an accurate record, when possible and appropriate, of the protected characteristics of our pupils and employees.
- The academy has a school Behaviour Policy that outlines our expectations of both pupils and staff in their interactions with each other, including our approach to tackling bullying and prejudice
- The academy deals promptly and effectively with all incidents and complaints of bullying and harassment
- The academy keeps a record of all such incidents and notifies those affected of what action we have taken.
- The academy provides training to all staff in relation to dealing with bullying and harassment incidents.
- The academy has a Special Educational Needs and Disabilities Policy that outlines the provision the school makes for pupils with special educational needs.
- Our Complaints Policy sets out the procedures through which we deal with any complaints.

- The academy aims to observe and implement the principles of equal opportunities and non- discrimination in our employment practices.
- The academy pays due regard within our recruitment practices, to safeguarding and protecting our pupils.

The academy has procedures for addressing staff discipline, conduct and grievances

### **Consultation and Engagement**

The academy aims to engage and consult with pupils, staff, parents and carers, and the local community, so we can age develop our awareness of equality issues, learn about the impact of our policies, set equality objectives and improve what we do. The academy’s main activities for consulting and engaging are:

- Pupil surveys; Parent Surveys; consultation with pupil leaders/school council; pupil survey; feedback via inclusion/safeguarding team; curriculum overview and discussion with pupils.
- Staff survey; feedback from staff (particularly with minority protected characteristics); feedback from inclusion lead
- Consultation with parents and carers, e.g. parents’ evenings; parent survey; complaints are handled promptly

The academy has built links with our local community, through contact with community groups ; by appearing in local and national newspapers; by collaborating with other schools

#### 4) Relevant Policies

Student Policies	HR Policies	IT Policies
Sex Education Screening, searching & confiscating SEND Teaching & Learning Offsite activities & education visits Parental complaints Physical intervention Anti-bullying Behaviour for learning Disability Equality Equality Opportunities for students Gender Equality Inclusion	Equal Opportunities & Diversity Allegation against member of staff Recruitment & selection Managing personal relationships at work Capability Grievance procedures Protection for harassment at work Staff discipline Staff induction Staff performance management Staff professional development Whistle blowing policy Working beyond normal retirement age	E Safety Mobile phone & internet usage.

## **Use of Reasonable force/ Physical Intervention / Positive Handling**

The academy defines Physical Intervention, sometimes referred to as 'restraint' or 'reasonable force', as using the minimum amount of physical force necessary to prevent a pupil from doing, or continuing to do, any of the following:

- Injuring themselves or others
- Committing a criminal offence
- Damaging property
- Disrupting learning in a classroom (where they have refused to leave when told to do so)
- Disrupting a school trip or event (where they have refused to leave when told to do so)

The academy makes such a definition in accordance with the guidance provided by the Department of Education: *Use of Reasonable Force – guidance for headteachers, staff and governing bodies*.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/355362/use\\_of\\_reasonable\\_force.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/355362/use_of_reasonable_force.pdf)

Physical Intervention may also be used to search a pupil without their consent where staff have reasonable grounds for suspecting that pupil to be carrying a weapon. At least two staff members are required to be present at the search.

All instances of Physical Intervention must be recorded, with a written report completed on the academy proforma for recording the use of physical intervention. This report must be given directly to the DSL immediately. Hard copies of the proforma can be collected from the designated senior persons or school administrators.

Before using Physical Intervention, staff will ensure the following:

- The pupil has received repeated verbal instructions to do what is required of them
- The pupil has been told that physical intervention is imminent
- (Where possible), a second adult is present
- A judgement has been made by the staff member(s) that physical intervention would be successful

During the use of Physical Intervention, staff will ensure the following:

- Only the minimum force is used for the minimum amount of time necessary
- The use of physical intervention will be ended as soon as safety and order has been re-established
- The member(s) of staff present will continue to talk to the pupil: explaining calmly why physical intervention is being used and re-iterating what needs to happen for the use of physical intervention to be ended

Physical Intervention will never be used as a form of punishment.

The academy aims to build and maintain a safe and respectful community; any instances of physical intervention being used would be undertaken with extreme caution and evaluated rigorously. All witnesses, including pupils, would be spoken to ensure that they were

supported in understanding the role of physical intervention in promoting the safety and wellbeing of all members of the academy community.

## **Images/photography of students**

Occasionally the academy will take photographs of the children at our school. The academy may use these images to support or assess learning activities, or in our school's prospectus or in other printed publications that we produce, as well as on our website or on project display boards at our school that reasonably promote the work of the school and ARK.

The academy may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use or promotional use.

The DSL will ensure that images are stored securely, kept on file for a time-period which is adequate, relevant and not excessive and will ensure all images are permanently deleted once deemed no longer of use.

Where images are taken use images that are appropriate and are considered to not be open to misuse. If an image of a child is used, the child's name will not be published. If a name is published, no image will be used without specific consent.

Where images are used for the school website or other online publications, the academy recognises that websites are part of the internet and are more easily accessible than paper-based school publications. The academy will make sure that only appropriate images are used and that image filenames will avoid using children's names.

From time to time, the academy may be visited by the media who will take photographs or film footage of a visiting dignitary or other high profile event. Pupils will often appear in these images, which may appear in local or national newspapers, on televised news programmes or online.

On joining the academy, parents and families are given the opportunity to sign a consent form which gives the academy permission under the Data Protection Act (1998) to take images of their child/children in the manner and for the purposes outlined above.

Filming or photographing of school events by parents is discouraged. The academy will photograph (and sometimes will record) all events and make images available to pupils and parents.

Staff will monitor and review any photographing pupils do during on-school or off-site activities.

Camera phones are less visible and can be used to bully or take inappropriate images. This is one of the reasons why pupils are not allowed to use mobile phones on the academy premises.

Where pupils are found to have used their phone on the academy premises their phone will be immediately confiscated. If it is believed that pupils have used their phone in order to make inappropriate recordings, the confiscated phone will not be returned until senior teachers are confident such recordings have been removed and deleted. Where relevant, the Anti-bullying procedures outlined above in Section One of this appendix will be implemented.

The academy uses CCTV in some areas of the school property to ensure the safety and security of pupils, staff, parents and the safety and security of academy buildings and equipment.

CCTV footage is only reviewed by senior teachers and members of the site-staff to review matters of safety and security including, but not limited to: pupils and adults entering and exiting the building, incidents of theft, violence or vandalism and incidents of trespassing.

Through the PSHE curriculum and through individual pupil specific interventions, the academy educates pupils about the importance of understanding both the potential positive and negative implications of different types of images of them. Pupils are also explicitly taught about the importance of controlling the availability of images of themselves and other young people.

## **Managing allegations against other pupils**

DfE guidance 'Keeping children safe in education (2016)' says that '*there are procedures in place to handle allegations against other children*'. The guidance also states the importance of minimising the risks of peer-on- peer abuse. In most instances, the conduct of students towards each other will be covered by the behaviour policy. Some allegations may be of such a serious nature that they may raise safeguarding concerns. These allegations are most likely to include physical abuse, emotional abuse, sexual abuse and sexual exploitation.

### **Prevention**

The academy minimises the risk of allegations against other pupils by:-

- Providing a developmentally appropriate PSHE syllabus which develops students understanding of acceptable behaviour and keeping themselves safe
- Having systems in place for any student to raise concerns with staff, knowing that they will be listened to, believed and valued
- Delivering targeted work on assertiveness and keeping safe to those pupils identified as being at risk
- Developing robust risk assessments & providing targeted work for pupils identified as being a potential risk to other pupils.

### **Allegations against other pupils which are safeguarding issues**

Occasionally, allegations may be made against students by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is likely that, to be considered a safeguarding allegation against a pupil, some of the following features will be found.

If the allegation:-

- Is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- Is of a serious nature, possibly including a criminal offence
- Raises risk factors for other pupils in the school
- Indicates that other pupils may have been affected by this student
- Indicates that young people outside the school may be affected by this student

Examples of safeguarding related allegations against a student could include:

#### **Physical Abuse**

- Violence, particularly pre-planned
- Forcing others to use drugs or alcohol

## **Emotional Abuse**

- Blackmail or extortion
- Threats and intimidation

## **Sexual Abuse**

- Indecent exposure, indecent touching or serious sexual assaults
- Forcing others to watch pornography or take part in sexting

## **Sexual Exploitation**

- Encouraging other children to engage in inappropriate sexual behaviour (For example - having an older boyfriend/girlfriend, associating with unknown adults or other sexually exploited children, staying out overnight)
- Photographing or videoing other children performing indecent acts

## **Practice**

When an allegation is made by a pupil against another student, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern the designated safeguarding lead (DSL) should be informed

- A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances
- The DSL should contact their local children's social care team or Ark Head of Safeguarding to discuss the case
- The DSL will follow through the outcomes of the discussion and make a referral where appropriate
- If the allegation indicates that a potential criminal offence has taken place, a referral to the multi-agency safeguarding hub (MASH) and the Police should be made
- Parents, of both the student being complained about and the alleged victim, should be informed and kept updated on the progress of the referral
- The DSL will make a record of the concern, the discussion and any outcome and keep a copy in the files of both pupils' files
- It may be appropriate to exclude the pupil being complained about for a period of time according to the school's behaviour policy and procedures
- Where neither social services nor the police accept the complaint, a thorough school investigation should still take place into the matter using the school's usual disciplinary procedures
- In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan
- The plan should be monitored and a date set for a follow-up evaluation with everyone concerned



## **PSHE & Citizenship /Relationship & Sex Education (RSE)/Spiritual, moral, social and cultural (SMSC)**

PSHE is formally taught and follows a curriculum plan adapted from the PSHE association and tri-borough guidelines. It is broadly taught through three cycles with a year, each one consisting of two half day drop down days, and numerous interim sessions. Teachers reflect on all pupils' progress and identify pupils who are excelling and pupils who require intervention. Safeguarding issues are taught through the PSHE curriculum and often safeguarding concerns are identified during PSHE sessions. These should be recorded and reported in the accordance with the school policy.

The areas covered are:

- Mental and Physical Health
- Relationships
- Citizenship.

The PSHE coordinator will ensure that staff are trained and prepared and feel comfortable delivering sessions to their classes. External visitors may be invited in to deliver some sessions as appropriate and in accordance with the safeguarding policy for visitors.

Please see the PSHE curriculum document and accompanying policy for further information

### **School site security**

Access to the academy (outside of arrival and departure times for pupils) is controlled electronically by reception staff.

Reception staff are aware of any persons not authorised to access the site and are aware of the procedures to follow should these persons attempt to enter the building or contact the staff/ pupils. The academy building is locked when out of use. All entrances to the academy are monitored by CCTV.

### **Visitor Management**

Reception staff are always present at times when visitors may be entering the building. All visitors are required to sign in and are allocated a pass based on the DBS check information presented to the Academy. All visitors must be collected from reception and returned to reception by a member of staff. All visitors engage with the health and safety briefing and are made aware of the DSL.

### **Coping with a school emergency/Emergency response plan**

At the present moment the academy is developing an emergency response plan using the ark-wide 'coping with a school emergency' template and plans to submit its emergency response plan to governors before the end of the academic year. The academy regularly rehearses fire drills and other safety measures with great success meaning that leaders in the academy are confident in the responses of staff and pupils alike if and when faced with an emergency.

## Safer recruitment

The Department for Education advises that the following checks must be made on all people before working in an education service. For further guidance please see <http://www.ofsted.gov.uk/schools/for-schools/safeguarding-children>

All ARK Schools employees must have received the following checks prior to starting employment with ARK Schools:

- enhanced DBS disclosures;
- List 99 check (for staff in working regulated activity only);
- right to work documents;
- identity;
- overseas criminal record checks (if applicable),
- medical checks,
- qualifications; including QTS status and prohibition orders check for teachers,
- two references, one being most recent line manager.

### Please Note:

While the central HR department may provide support with the online DBS disclosure application process, and the recruitment team may assist with completing reference checks, schools are responsible for ensuring that all pre-employment checks as outlined in this document are completed as required.

Information about any non-employees (supply staff, contractors, volunteers, governors) who are not in Snowdrop needs to be elsewhere. <http://www.ofsted.gov.uk/schools/for-schools/safeguarding-children> provides detailed guidance on what checks are required for these people. A summary of checks of these staff should be compiled with the employee Single Central Register before submitting to the Ofsted inspector.

The person responsible for photocopying original documents **must** see the original document. For documents that need to be retained (ie Right to Work documentation), a **photocopy must be taken of the originals at the school, and these photocopies should be signed and dated by person responsible for this at the school.** Please refer to the 'Document Retention Guidance Notes' for further information.

If any of the checks completed flag any areas for concern, this should be brought to the principal's attention immediately.

ARK Schools removed the three yearly recheck requirements for existing staff in 2013, with the following guidance:

All new employees continue to undergo DBS checks before commencing work in all but the most exceptional cases. Employees with a break in service of more than three months will also be rechecked.

All TUPE'd employees have a DBS check when they join the network

Three yearly rechecks cease for academy based staff, but continue for central office staff, volunteers and contractors and any other staff deemed to be high risk

Requirement that all agency staff are rechecked every three years (this should be done by the recruitment agency)

Four yearly rechecks for governors (change from five years in 2014)

ARK Schools reserves the right to repeat any check – including DBS check – if any information is received that suggests a person may no longer be suitable for continued employment

Staff must report any arrest or caution to management immediately

Encourage a culture of vigilance in relation to child protection to discourage an over reliance on DBS checks.

## **Complaints policy**

### 1. Principles

The academy tries to resolve problems informally wherever possible. An effective response and appropriate redress will be provided to all complaints as quickly as possible dependent upon the complexity of the issues raised.

NB This policy relates to complaints about the educational administration of an academy and typically applies to complaints made by parents and carers of students. It does not relate to matters which are governed by employment legislation or those where the principles of civil contract law would normally apply e.g. service/supply contracts entered into with an academy.

### 2. Legal obligations

Complainants must be aware that there is a complaints procedure and copies of this policy will be available on request.

If the process results in an appeal to the governing body (see below), the procedure is in the Appendix.

### 3. Dealing with complaints

a) At each stage, the person investigating the complaint will ensure that they:

Clarify the nature of the complaint and unresolved issues

Clarify what the complainant feels would put things right

Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish

Keep appropriate notes of any interview(s) held.

b) At each stage, the person investigating the complaint will seek ways to resolve the complaint satisfactorily. It may be appropriate to offer one or more of the following:

An acknowledgement that the complaint is valid in whole or in part and/or acknowledgement that the situation could have been handled differently or better (this is not the same as an admission of negligence)

An apology

An explanation

An assurance and an explanation of the steps that have been taken to ensure that it will not happen again

An undertaking to review academy procedures in light of the complaint.

### 4. Records

All complaints will be recorded by the academy, including informal complaints. The executive principal or head teacher is responsible for ensuring that staff record all complaints and their outcome.

Records relating to individual complaints are confidential, except in limited circumstances to comply with the Data Protection Act or Freedom of Information act, or where the secretary of state or a statutory body<sup>1</sup> conducting an inspection requests access to them.

The LGB will monitor the level and the subject matter of complaints and review the outcomes on a regular basis through the mechanism of performance and data reporting.



CHECK	DOCUMENTS TO KEEP ON FILE	IF CHECK NOT COMPLETED BEFORE START DATE	INFORMATION TO ENTER IN SNOWDROP	ADDITIONAL GUIDANCE
<b>Identity check</b>	Keep a copy of right to work evidence documents on file.	ID should be checked and copied at interview stage. The name recorded on the official identity should be used for all record keeping (eg Snowdrop) and official documentation (eg contract of employment) regarding the individual. Contact HR for advice if the individual cannot provide photo ID.	On the 'Employment Information' tab – enter date checked and who completed the check.	
<b>List 99 check</b>	Print out of check to go on file. Date of check must be recorded on Snowdrop. <b><u>From 2012: For staff working in 'regulated activity' only.</u></b> <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/249435/dbs-factsheet-regulated-activity-children.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/249435/dbs-factsheet-regulated-activity-children.pdf</a>	<b>This check should be completed prior to an offer of employment.</b> Contact HR immediately if the List 99 check returns any information. Ensure that you use details on identification which ideally must be the individual's passport, and check all variations of the individual's name, including previous surnames.	In 'Background Checks' – check type of 'List 99'.	<b><u>Always use details on ID provided. Check all variations of name.</u></b>

<p><b>Enhanced DBS disclosure</b></p>	<p>Email notification from DDC which includes DBS Disclosure number and date of issue File notes (if applicable). Risk assessment form (if applicable).</p>	<p><b>Employees should not be allowed to start work without a DBS disclosure. It is expected that the online DBS form will be completed as soon as possible after an offer is accepted.</b> <b><u>Very</u> occasionally, if there is clear and urgent need to start someone prior to their DBS disclosure being returned, this may be acceptable as long as:</b> HR Manager for the school is consulted. A list 99 is completed (for staff working in ‘regulated activity only’). There is a demonstrable urgent need for the employee to start An online DBS form has been completed and sent to the DBS All other pre employment checks have been completed A risk assessment form is completed and signed by the principal and central HR prior to the employee starting, and reviewed fortnightly until the DBS is returned. The employee must be closely supervised until the DBS disclosure is received by the school.  Central HR will let you know when a DBS disclosure issued through DDC has content. In this instance, the school must insist that this person brings in their certificate and discuss the content with the relevant central HR Manager before allowing the person<del>to</del> start work. From June 2013, it will be possible to accept a previous CRB for <u>some</u></p>	<p>In ‘Background Checks’ – check type of ‘DBS’. Enter as ‘Pending’ with the date the online DBS form is submitted to DDC . Chang to ‘Passed’ with the disclosure number after the disclosure is received and update the date of the check to reflect the date of disclosure Information required is: the date disclosure was issued, the unique disclosure reference number, and the details of the recruitment decision taken where a conviction was disclosed, including the reason why the applicant was considered suitable for appointment. Specific details of any conviction disclosed are not required to be noted on Snowdrop.</p>	<p><a href="#">DBS Guidance</a></p>
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CHECK	DOCUMENTS TO KEEP ON FILE	IF CHECK NOT COMPLETED BEFORE START DATE	INFORMATION TO ENTER IN SNOWDROP	ADDITIONAL GUIDANCE
<b>Right to work in the UK</b>	Ideally, the employee will provide his/her passport. Copy of the passport front cover and photo page to go on file. If the employee cannot provide a British or EEA passport, please send documents through to <a href="mailto:hssystem@arkonline.org">hssystem@arkonline.org</a> for checking. Please refer to the <a href="#">Right to Work Checking Tool</a> or contact HR for further advice.	Permission to work checks must always be completed prior to an employee's start date. Employees must not be permitted to start duties until acceptable documents are provided. <b>Allowing an employee to commence work prior to these checks can result in large fines and/or imprisonment.</b>	In 'Background Checks' – check type of 'Right2Work'. Check result must be either 'EEA or Swiss Citizen', 'Indefinite Leave to Remain' or 'Limited Leave to Remain' Enter type of document and any reference numbers in the reference field e.g "British passport 1234567" For Limited Leave to Remain ensure all fields are completed, including expiration dates.	<a href="#">Right to Work Checking Tool</a>  <a href="#">EEA Countries</a>
<b>Quals</b>	Copies of all relevant certificates.	Qualifications checks must always be completed prior to an employee's start date. Employees must not be permitted to start duties until acceptable documents are provided.	In the Qualifications screens.	
<b>QTS Employer Access – Teaching Staff Only</b>	A printout of the Employer Access Register to be kept on file.	The Employer Access service <b>must</b> be checked for all teaching staff. Ideally you will check prior to offer but at the very latest prior to start date. Please contact HR immediately if the employer access database contains any concerning information. The service lists: teachers who have been prohibited from teaching. teachers who may be the subject of a suspension or conditional order imposed	In 'Background Checks' – check type of 'QTS'. Include DFE number in reference field  NOTE: HLTA status should also be checked for HLTAs - by checking HLTA qual certificate.	<a href="#">What is QTS?</a>



CHECK	DOCUMENTS TO KEEP ON FILE	IF CHECK NOT COMPLETED BEFORE START DATE	INFORMATION TO ENTER IN SNOWDROP	ADDITIONAL GUIDANCE
		<p>by the GTCE (prior to its abolition) that is still current.</p> <p>teachers who have failed to successfully complete their induction or probation period.</p> <p><a href="https://www.education.gov.uk/employeraccess/LoginAction.do">https://www.education.gov.uk/employeraccess/LoginAction.do</a></p> <p>If teacher holds QTLS, you should obtain a copy of their certificate and check with the IfL that a teacher has QTLS status before they are given a job as a qualified teacher. This is the acceptable evidence that a teacher has QTLS status and IfL membership. The IfL status register is at <a href="https://www.ifl.ac.uk/cpd-and-qtls/professional-status-register/">https://www.ifl.ac.uk/cpd-and-qtls/professional-status-register/</a></p> <p>If you are hiring a teacher from overseas, please check this document for guidance: <a href="https://www.gov.uk/government/publications/employing-overseas-trained-teachers-from-outside-the-eea">https://www.gov.uk/government/publications/employing-overseas-trained-teachers-from-outside-the-eea</a></p> <p>HLTA status should also be checked for HLTAs - by checking HLTA Qualification certificate.</p>		
<b>Overseas criminal record check (where necessary)</b>	This is only necessary where an employee has moved from overseas, as the DBS check does not access overseas records.	If it is not possible to obtain this, ensure that all other checks are completed. You should keep records to demonstrate that you have made all reasonable efforts to obtain a copy. If this is provided in	In 'Background Checks' – check type of 'Overseas'.	<a href="#">DBS Guidance</a>

CHECK	DOCUMENTS TO KEEP ON FILE	IF CHECK NOT COMPLETED BEFORE START DATE	INFORMATION TO ENTER IN SNOWDROP	ADDITIONAL GUIDANCE
	<p>A certified copy of the employee's police record ('Certificate of Good Conduct') from their last country of residence should be kept on file. Contact <a href="mailto:hssystem@arkonline.org">hssystem@arkonline.org</a> for guidance</p>	<p>another language, the School should arrange own translation (should not accept employee's translation, as this can be easily falsified).</p>		
<b>Medical fitness</b>	<p>The BUPA feedback form and notes of any action taken as a result should be kept on file.</p>	<p>BUPA Checks should ideally be completed prior to an employee's start date. If this is not possible you should ensure the form is completed on the employee's first day. You should also ask the employee if they have any specific needs/work adjustments that must be setup in the meantime.</p>	<p>In 'Background Checks' – check type of 'Medical'.</p>	
<b>References</b>	<p>Two complete reference forms, covering the last three years. One must be most recent line manager. The hiring manager should initial the references to demonstrate that they have been read.</p>	<p>References should ideally be completed prior to an employee's start date. Where this is not possible a verbal reference should be taken as an interim measure, but a written reference must still be required for the file. <b><u>For TUPE'd staff who were hired prior to the school becoming an ARK Academy.</u></b> A file note should be added (template in the 'Ofsted Readiness' folder on the shared folders). And enter reference check Snowdrop as passed with reference</p>	<p>In 'Background Checks' – check type of 'Reference' (One record for each reference.)</p>	<p>Reference Check Guidance Notes</p>

CHECK	DOCUMENTS TO KEEP ON FILE	IF CHECK COMPLETED BEFORE START DATE	NOT CHECKED BEFORE START DATE	INFORMATION TO ENTER IN SNOWDROP	ADDITIONAL GUIDANCE
			'TUPE File Note completed'.		
<b>Induction &amp; probation period</b>	Completed probation review forms.	Not applicable		Employment Information Tab – 'Dates probation meetings held' section	Probation Policy

## 5. Complaints procedure

a) Informal complaints – verbal informal complaints may be made to teachers at the end of the school day or to principals/headteachers by appointment. A verbal or written response may be given to an informal complainant.

b) Formal complaints- The complainant will write to the academy with details of:  
The complaint  
Any attempts they made to raise/resolve the complaint (who they spoke to and when)  
Actions they feel might resolve the problem  
Any staff they would prefer not to discuss the issue with.

c) A staff member (not the subject of the complaint) nominated by the principal/headteacher will acknowledge and investigate the complaint within 7 working days. This time scale may be reasonably extended if the nature of the complaint is judged by the principal/headteacher to be of a complex nature. The investigatory report will be presented to the principal/headteacher for final determination. The complainant will receive a formal response in writing from the principal/headteacher. (See paragraph 9 for complaints about the principal/headteacher).

d) If the complainant is still not satisfied, they can appeal to the Local Governing Body (LGB) (see below). A complaint panel will be convened within a reasonable period of time depending on the availability of governors and other members making up the panel. Every effort will be made to deal complaint appeals expeditiously.

e) Academies and ARK Schools reserve the right to deny investigation of any complaints which are considered to be vexatious, malicious, and those relating to a previous complaint that has already been investigated.

### ARK Schools

The officer with responsibility for ensuring that this policy is implemented in ARK academies is the Chief Operating Officer at ARK Schools. Complainants should be aware that principals/headteachers may refer complaints received to the Governance Manager at ARK Schools because they consider the matter is one of such a nature that it should be investigated independently of the academy.

## 6. Appeals to the LGB

### *(a) Constitution of the panel*

ARK's Governance Manager will convene a complaints panel:

The panel will consist of at least three people with no prior direct involvement with the issue. At least one of the members of the panel must be independent of the management and running of the academy and not a member of the LGB. No member of the panel can have been directly involved in previous consideration of the complaint. Individual complaints must not be heard by the whole governing body at any stage.

#### *(b) Remit of the panel*

The panel can:

Dismiss the complaint in whole or in part

Uphold the complaint in whole or in part

Decide on the appropriate action to be taken to resolve the complaint

Recommend changes to the academy's systems or procedures to ensure that problems of a similar nature do not recur.

#### *(c) Proceedings of the panel*

The procedure for the complaint panel is outlined in the attached Appendix. The Governance Manager, having consulted with the complainant and the Principal/Headteacher, will have the discretion to decide which of the procedures to follow. The appeal will be closed to the public.

#### *(d) Role of the Governance Manager*

The Governance Manager will be the contact point for the complaint and will be required to:

Set the date, time and venue of the hearing

Collate any written material and send it to the parties in advance of the hearing

Record the proceedings

Notify parties of the panel's decision.

The decision of the appeal panel is final subject to any subsequent referral to the EFA (see note at end of this policy document).

#### 7. Dealing with persistent complaints

In the case of vexatious or persistent complaints, the Chief Operating Officer will inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

#### 8. Responsible person

The person in charge of co-ordinating the complaints procedure at the academy is the Principal/Headteacher. Overall responsibility is retained by ARK Schools through the office of the Chief Operating Officer. The role of governors arises only in respect of appeals where the complainant remains dissatisfied with attempts to resolve the issue of complaint and as set out above.

#### 9. Complaints made about a Principal/Headteacher of an academy

ARK Schools recognise that in exceptional circumstances parents/carers may wish to complain about principals/headteachers.

If the complainant wishes to raise a complaint about the principal /headteacher, they should raise this directly with the principal / headteacher in the first instance. This is the first stage of the process.

Where issues have been raised in this way and remain unresolved, the complainant may appeal and write to ARK Schools at its head office c/o the Governance Manager. On receipt the complaint will be acknowledged and an investigation will be undertaken. The COO will convene a panel of three (including the COO) and the three panel members will not have had any direct involvement in the matters detailed in the complaint. The case and the complainant will receive a formal written response. As matter of courtesy the Chair of the LGB will be advised.

The determination will be made within 15 working days unless the complaint is judged to be of a complex nature.

Note regarding the Education Funding Agency (EFA): In limited circumstances it is possible for complaints to be referred to the EFA. The EFA can consider complaints where it is alleged that a) the academy has not complied with its own complaints policy or the policy does not comply with statutory requirements OR b) the academy has failed to comply with a duty imposed on it under its funding agreement with the Secretary of State. Details of how to complain can be found on the Department for Education's website. 6

#### Procedure

The Governance Manager, having sought the views of the complainant and the Principal/Headteacher, will decide which of these following procedures is most beneficial to the nature of the complaint.

##### 1) A formal meeting

All parties will attend the meeting in the same room. The complainant, the Principal/Headteacher and any other staff/witnesses will be invited to make representations concerning the complaint and may be questioned by the panel members so that they can form a clear and unbiased view of the complaint. Whilst it will be for the chair of the panel to decide exactly how the meeting will proceed, the procedure at the meeting will allow:

- a. the complainant to explain their complaint
- b. the Principal/Headteacher/other party to explain the school's response
- c. the panel to have an opportunity to question both the complainant and the other party
- d. all involved to call witnesses (subject to the approval of the chair of the panel), and the panel to question all the witnesses
- e. the complainant, the Principal/Headteacher/other party and staff/witnesses to be accompanied at the meeting if they so wish (other than by a legal representative).

The meeting will be minuted, and these minutes circulated to the parties with the Panel's decision.

At the end of the meeting, the chair of the panel will explain to the complainant and the Principal/Headteacher/other party that the panel will consider its decision based on the information and evidence presented to them, and a written response will be sent to both parties as quickly as possible and in an expeditious manner.

##### 2) An investigatory approach

The complainant and representative(s) from the school may be invited to attend a formal meeting with the complaints panel in order to clarify the matter. As the panel meeting is intended to be investigatory, the persons giving evidence or making representations to the panel would normally attend separately. Whilst it will be for the chair of the panel to decide exactly how the meeting will proceed, the procedure will allow:

- a. the complainant, the Principal/Headteacher/other party and staff/witnesses to be accompanied if they so wish (other than by a legal representative)
- b. notes of the interview to be made, checked with the interviewee and made available to other parties on request.

The chair of the panel will explain to the complainant and the Principal/Headteacher/other party that the panel will consider its decision based on the information and evidence

presented to them, and a written response will be sent to both parties as quickly as possible and in an expeditious manner.

Whichever procedure is followed, the panel will remember that some complainants are unused to dealing with groups of people in formal situations and may feel inhibited. Parents/carers may also feel emotional about discussing an issue that affects their child. The chair of the panel will ensure that the proceedings are as informal as the situation allows.

## **Allegations against teachers & other staff**

If an allegation is made about a member of staff, governor, visitor or volunteer, the relevant headteacher and the relevant senior designated person for child protection should be informed immediately.

However, if the allegation involves the headteacher, then the chair of governors should be notified immediately instead and replace them within the adherence to these procedures.

The headteacher should not investigate the allegation themselves. If more information is required than the initial disclosure, they will instruct the relevant senior person for child protection to gather such information if this can be done in a manner which is not prejudicial to any of the following:

If the actions of the member of staff, and the consequences of the actions, raise credible child protection concerns the headteacher will notify the Local Authority Designated Officer (LADO) who will advise about action to be taken and may initiate internal referrals within Children's Social Care to address the needs of children likely to have been affected

If it is not clear whether the actions of the member of staff raise child protection concerns, the headteacher must immediately seek advice from the LADO

If the actions of the member of staff, and the consequences of the actions, do not raise credible child protection concerns, but do raise other issues in relation to the conduct of the member of staff or the pupil(s), this will be addressed in relation to the code of conduct

If the headteacher decides that the allegation is without foundation and no further formal action is necessary, all those involved should be informed of this conclusion, and the reasons for the decision should be recorded on the child protection file.

When determining the outcomes of an investigation (an investigation either with or without input from the LADO or other external agencies), the following definitions will be used:

**Substantiated** - there is sufficient evidence to prove the allegation;

**Malicious** - there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;

**False** - there is sufficient evidence to disprove the allegation;

**Unsubstantiated** - there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

Ark Paddington Green Academy recognises it has a duty of care to each of its employees and will act to ensure that the inherent stress in the allegations process is minimised by notifying them of the

allegation as soon as possible and as soon as appropriate based on guidance from the 'case manager' (headteacher or chair of governors) and the LADO (where appropriate). The 'case manager' will also appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual involved.

The 'case manager' should notify the parents of the child/children involved in the allegation as soon as possible and as soon as appropriate based on guidance from the LADO or other external agencies. Parents will also be informed of the progress of the case by a representative of the school and will be informed of the outcome where appropriate. Parents will also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002.

The academy recognises it has a legal obligation to make a referral to the DBS if a member of staff resigns, comes to a settlement agreement with the school to end their employment or leaves the school by any other means, including long-term absence, while the subject of an investigation relating to a safeguarding allegation.

### **Management of Safeguarding (including Responding to Disclosures and a protocol for interacting with third parties)**

Following a child protection referral, the designated senior person or other appropriate member of staff will:

Make regular contact with the social worker involved to stay informed

Wherever possible, attend Strategy Discussion Meetings

Provide a report for, attend and contribute to any subsequent CP Conference(s)

If the child or children are placed on a Child in Need or Child Protection Plan or become subject to the Family Recovery Project, contribute to the Child Protection Plan and attend Core Group Meetings and Review Child Protection Conferences

Where a child on the child protection register moves from the school or goes missing, immediately inform the key worker in Social Care

The academy recognises that children can be abused by other children and understands that serious behaviour incidents, including instances of bullying, should first be assessed to see if they represent a risk of significant harm and should therefore be managed and recorded in accordance with this safeguarding policy.

Accurate records will be made as soon as practicable and will clearly distinguish between observation, fact, opinion and hypothesis. All records will be signed and dated.

All C.P. documents will be retained in a 'Child Protection' file, separate from the child's main file. This will be locked away and only accessible to the Headteacher and the senior designated person (and their deputies).

The academy is committed to supporting every child in partnership with their parents, including and extending to the professional networks established around families when and if they become subject to Child Protection, Child in Need of Family Recovery Project plans.

The academy recognises that the child's welfare is paramount, however good child protection practice and outcome relies on a positive, open and honest working partnership with parents.

Whilst the academy may, on occasion, need to make referrals without consultation with parents, we will make every effort to maintain a positive working relationship with them whilst fulfilling its duties to protect any child.

The academy will provide a secure, caring, supportive and protective relationships for the child by sharing some, if any information, on a need to know basis with pastoral staff, including the in-school counselling service where appropriate.

Children will be given a proper explanation (appropriate to age & understanding) of what action is being taken on their behalf and why.

We will endeavour always to preserve the privacy, dignity and right to confidentiality of the child and parents. The designated senior person will determine which members of staff "need to know" personal information and what they "need to know" for the purpose of supporting and protecting the child.

## **Disqualification under the Childcare Act 2006 (DfE Feb 2015)**

The Department for Education (DfE) has issued supplementary advice to their "Keeping Children Safe in Education" statutory guidance (April 2014), detailing a new requirement for childcare disqualification checks to be carried out on relevant staff working in schools and academies. The supplementary advice may be found at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/362919/Keeping\\_children\\_safe\\_in\\_education\\_childcare\\_disqualification\\_requirements\\_-\\_supplementary\\_advice.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/362919/Keeping_children_safe_in_education_childcare_disqualification_requirements_-_supplementary_advice.pdf)

These checks arise from the Childcare (Disqualification) Regulations 2009 and the Education Act 2006.

The Regulations prohibit anyone who is disqualified themselves under the Regulations, or who lives in the same household as a disqualified person, from working in a relevant setting, including in schools.

The following categories of staff in nursery, primary or secondary school settings are covered by the Childcare (Disqualification) Regulations 2009.

- staff who work in early years provision (including teachers and support staff working in school nursery and reception classes);
- staff working in later years provision for children who have not attained the age of 8 including before-school settings, such as breakfast clubs, and after school provision;
- staff who are directly concerned in the management of such settings as laid out in points (a) and (b)

The Regulations refer to employing a person "in connection with" these provisions and therefore:

In Infant and Nursery Schools - All staff will be covered



Primary/Junior Schools - All staff are covered unless they are always exclusively working with those over the age of 8.

Secondary Schools - will need to undertake checks on relevant staff (including managers) where any services are provided where under 8s may be in attendance e.g. childcare facilities, before or after school clubs

### **Who is disqualified from working in a relevant setting?**

A person is disqualified from working in a relevant setting if any of the following apply:

They have been cautioned for, or convicted of certain violent or sexual criminal offences against adults and any offences against children;

They are the subject of an Order, direction or similar in respect of childcare, including orders made in respect of their own children

That have had registration refused or cancelled in relation to childcare of children's homes or have been disqualified from private fostering;

They live in the same household where another person who is disqualified lives or works (disqualification 'by association'). This means that the householder has an order, restriction, conviction, caution etc. set out in the Legislation. It is accepted that staff may not necessarily know this information – the declaration requires them to answer "to the best of their knowledge"

Full details of what constitutes "disqualification" are in the Schedules to the Regulations

<http://www.legislation.gov.uk/uksi/2009/1547/contents/made>.

All relevant staff in relevant settings must be asked to complete a declaration as soon as possible, affirming that they are not disqualified. A declaration form is attached. Academies should print the Schedules to the Regulations (which detail the disqualification orders, offences etc) and make these available for staff with each form for reference. The links are here:

<http://www.legislation.gov.uk/uksi/2009/1547/schedule/1/made>

<http://www.legislation.gov.uk/uksi/2009/1547/schedule/2/made>

<http://www.legislation.gov.uk/uksi/2009/1547/schedule/3/made>

Academies should contact Ark's Head of Employee Relations (Shereen Moussa) immediately if they:

know now of anyone in their employment who is or may be disqualified  
receive a positive declaration from any member of staff

Anyone who is disqualified (including by association) will need to be immediately removed from the relevant setting (probably through suspension in the case of employees) and OFSTED must be notified within 14 days.

All new appointments in relevant settings, from this point onwards, will be required to complete the declaration prior to commencing work and DBS certificates will be checked with reference to list of relevant offences in the Act (Schedules 2&3).

Academies must ensure that any external agency providing relevant staffs, in relevant settings, carry out these checks prior to placing them in the school.

Academies will need to set a short deadline for the return of the form by existing staff – one week would be reasonable. Where a member of staff does not complete and return the form, it may be necessary to take action to remove them from work. Please seek HR Advice in these cases. HR will be making contact with Trade Unions and Professional Associations regarding this matter so that they are aware of our advice.

### **Disqualified Workers**

HR will support academies in dealing with cases where a disqualified person is identified. A disqualified person can apply to OFSTED for a waiver:

<http://www.ofsted.gov.uk/resources/applying-waive-disqualification-early-years-and-childcareproviders>

OFSTED may grant a full or partial waiver, including a waiver that would allow an individual to work in a relevant school setting. While a waiver application is under consideration the individual must not continue to work in these settings.

Where a waiver is not granted, the employee will need to be dismissed unless redeployment options are available.

### **Volunteers, Governors, Contractors and Agency Workers**

A County Council has received verbal confirmation from the DfE that the Childcare (Disqualification) Regulations 2009 do NOT apply to volunteers – this replaces previous advice. This means that academies are not required to ask existing or new volunteers to complete a disqualification declaration form and that volunteers are not, by statute, disqualified from working in a school by virtue of these regulations. However, the principles set out Part 2 of Keeping Children Safe in Education relating to the management of safeguarding states that:

*“In line with part three of this guidance, governing bodies and proprietors should prevent people who pose a risk of harm from working with children by adhering to statutory responsibilities to check staff who work with children, taking proportionate decisions on whether to ask for any checks beyond what is required; and ensuring volunteers are appropriately supervised.”*

If Governing Bodies wish to ask volunteers to complete a Disqualification declaration, this could be viewed as a proportionate decision as they are applying the same standards of safeguarding checks to volunteers as to their employees. The DfE has confirmed to the Council that they consider this to be the right approach.

Any such information provided by volunteers or prospective volunteers should be assessed in line with the guidance issued in relation to employees. Ofsted will not consider a waiver application in respect of a volunteer (as the Regulations do not apply) and academies will need to make a decision about whether to allow the individual to continue volunteering – this should involve a risk assessment having regard to the information provided on the declaration, the nature of the activities they undertake and the level of supervision in place.

However, in order to ensure that we provide the safest possible environment for our children, Ark Schools recommends that Governing Bodies should view it as proportionate to ask volunteers to complete a Disqualification declaration.

This Council has also received verbal confirmation from the DfE that the Regulations do NOT apply to Governors – this replaces previous advice. A Governor could not therefore be prevented from holding office under these Regulations, although the School Governance Regulations 2012 already

set out the factors that may exclude a person from becoming a Governor, including being barred from any regulated activity relating to children and being disqualified from working with children or from registering for childminding or providing day care.

However, in order to ensure that we provide the safest possible environment for our children, Ark Schools recommends that Governing Bodies should view it as a proportionate measure that Governors complete a Disqualification declaration. Members of the Propriety Body will also be asked to complete the declaration.

Contractors are responsible as employers for ensuring that persons caring for children are suitable to work with children. In the case of workers that are supplied by an agency or third party organisation, academies should ensure that the agency or organisation has carried out the relevant checks.

## **Safeguarding – requirement for Governors**

Outline of role of safeguarding governor:

The Children's Act 2004 places a duty on agencies to ensure that their functions are discharged having regard for the need to safeguard children and promote their welfare.

By safeguarding and promoting welfare we mean:

Protecting children from abuse or neglect

Preventing impairment of the child's health or development

Ensuring children's are growing up in circumstances consistent with the provision of safe and effective care

Creating opportunities to enable children to have optimum life changes in adulthood

As the governor responsible for safeguarding children, you will play an essential role in ensuring children in education are kept safe from harm

Suggested duties for safeguarding governor:

It is recommended that the Safeguarding and Child Protection Governor should not be a parent governor or teacher governor as this could lead to them being compromised in the event of a disciplinary matter.

To be familiar with LA guidance and policy relating to Safeguarding and Child Protection and associated issues, and to attend training for nominated Safeguarding and Child Protection governors

To ensure that the Governing Body puts in place a suitable Safeguarding and Child Protection Policy and associated procedures

To champion safeguarding and child protection issues within the school

To encourage other members of the governing body to develop their understanding of the governing body's responsibilities with regard to Child Protection and assist them to perform their functions in respect of Safeguarding Children and Young People

To contribute to ensuring any deficiencies in the school's safeguarding practices are addressed which may be brought to Governors' attention by a member of school staff, a parent, an officer of the Authority or from any other source

To meet regularly with the senior member of the school's leadership team who is the designated teacher for safeguarding and child protection in order to monitor the effectiveness of the governing body's Safeguarding and Child Protection policy. It is recommended that this is at least a termly meeting

To ensure that the governing body receives an annual report on the implementation of the school's safeguarding and child protection policy and procedures including:

Arrangements for ensuring that the school's safeguarding and child protection policy is communicated to, and implemented by, all staff

Ensuring that the designated member of staff with lead responsibility for Safeguarding and Child Protection is part of the school's leadership team, and has sufficient time and resources at his /her disposal to carry out his / her duties effectively

Ensuring that a deputy designated teacher for safeguarding and child protection is identified

Ensuring that the Designated Teacher for Safeguarding and Child Protection and his/her deputy receive training every two years

Training in Child Protection undertaken by all staff, including Lunch Time Supervisors, clerical staff and other ancillary staff, every three years

Arrangements are in place for the inclusion of child protection procedures in an induction programme for all people working in the school, no matter for how long, nor the status of that individual

Arrangements to ensure safer recruitment procedures and appropriate checks on new staff and volunteers

The number of students currently subject to a Child Protection Plan NB details of names will not be provided to maintain confidentiality

How Safeguarding and Child Protection issues are addressed through the curriculum

The provision of information to the LA about how the governing body's duties in respect of Safeguarding and Child Protection have been discharged

The Chair of the governing body will liaise with the Head teacher and the Authority over matters regarding confidential child protection issues involving allegations against staff

Where there is an allegation of abuse against the head teacher, the Chair of the governing body will take the lead in liaising with the LA and/or partner agencies unless a member of the Governing Body has relevant expertise which would mean that person was better fitted to take this role, including:

Notifying the Local Authority Designated Officer (LADO) immediately

Ensuring with LA support that appropriate action is to be taken in accordance with agreed procedures

To attend initial and subsequent strategy meetings as required if other agencies are involved

To take the lead in an investigation under employment procedures in conjunction with Human Resources and the Child Protection Service when the other agencies' involvement is at an end

*The Vice Chair of the governing body will deputise for the Chair in the Chair's absence as appropriate.*

# Appendix B

[Working Together to Safeguard Children \(March 2015\)](#)

[What to do if you are worried a child is being abused \(March 2015\)](#)

[Use of reasonable force: advice for head teachers, staff and governing bodies \(July 2013\)](#)

['Information Sharing: Advice for practitioners', DfE \(March 2015\)](#)

[Keeping Children Safe in Education \(Sept 2016\)](#)

# Appendix C

[Child Missing from Education](#)

[Child Missing from home or care](#)

[Child Sexual Exploitation \(CSE\)](#)

[Bullying including cyberbullying](#)

[Domestic Violence & Abuse](#)

[Drug Advice for Schools](#)

[Fabricated or Induced Illness](#)

[Abuse Linked to Faith or Belief](#)

[Female Genital Mutilation \(FGM\)](#)

[Forced Marriage](#)

[Gangs and Youth Violence](#)

[Gender based violence/violence against women and girls \(VAWG\)](#)

[Mental health](#)

[Private fostering](#)

[Preventing radicalisation](#)

[Sexting](#)

[Trafficking](#)

# Appendix D

## Recruitment and appointment policy

<b>Date of last review:</b>	Sept. 2016	<b>Review period:</b>	3 years
<b>Date of next review:</b>	Sept. 2019	<b>Owner:</b>	Head of Recruitment
<b>Type of policy:</b>	Network	<b>LGB or Board approval:</b>	Director of Operations

### Recruitment & Selection Policy and Procedure

#### Introduction

Ark Schools exists to give every young person, regardless of their background, a great education and real choices in life. This may only be achieved through the appointment of high quality staff (teaching and operational).

These procedures take into account relevant legislation and guidance, and make particular reference to the statutory guidance 'Keeping Children Safe in Education' (Department for Education, (September 2016 and subsequent versions), as well as the Equality Act 2010 Employment Statutory Code of Practice and the Data Protection Act (DPA) 1998.

Ark Schools is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers and apprentices to share this commitment. In order to meet this responsibility, it follows a rigorous selection process to discourage and screen out unsuitable applicants.

#### Purpose

The use of this policy and procedure is to ensure that Ark Schools employs the best candidate for the job, assist Ark Schools to deter, identify and reject people who are unsuitable to work with children, help promote equality of opportunity and ensure that Ark Schools meets its statutory obligations.

#### Scope

This policy covers the recruitment of all Academy and non-school based staff. It is also strongly recommended for use by external agencies/contractors appointing workers who will have access to Ark Schools academies as part of their role. It is the principal's responsibility within an academy to ensure that relevant agencies are made aware of these standards.

#### Equal Opportunities

Ark Schools is committed to eliminating discrimination and encouraging diversity amongst our employees. We endeavor to build a workforce that will be truly representative of all sections of society and that each employee feels respected and able to give their best. To that end we are committed to provide equality and fairness for all in our recruitment and employment practices and not to discriminate on grounds of age, disability, gender reassignment, marriage/civil partnership



status, pregnancy and maternity, race, religion or belief, sex, or sexual orientation. We oppose all forms of unlawful and unfair discrimination.

The appointment and recruitment procedure must always be applied fairly and in accordance with employment law and the Ark Schools Equal Opportunities Policy.

#### Responsibilities

Ark Schools is responsible for maintaining fair, consistent and objective procedures for matters relating to recruitment and appointments.

The principal<sup>1</sup> has overall responsibility for the internal organisation, control and management in their academy<sup>2</sup> and the implementation of this policy in their academy.

#### General principles

When recruiting and selecting workers and staff, each Ark Schools academy will:  
ensure its practices and systems are transparent, objective, thorough and consistent  
ensure those involved in the recruitment & selection process receive appropriate training  
take account of issues relating to safeguarding children at every stage of the procedure  
avoid over-reliance on criminal background checks as a means of 'sifting' out candidates unsuited to working with children (*NB: only a small proportion of individuals unsuited to working with children actually have a criminal conviction*).

#### Recruitment & selection procedure

##### Stage one: Recruitment planning

As soon as a vacancy arises, the following should be reviewed by the principal:

Replacement: whether the post needs to be filled and/or whether the nature of the job has changed significantly

Job description: this should state the post title, salary, reporting lines and resources (including staff) for which the postholder is responsible. It should also include the purpose of the post and main responsibilities, as well as making it clear that the postholder will have responsibility for promoting and safeguarding the welfare of children within the academy and that the post is subject to an enhanced disclosure. Template job descriptions can be obtained online. If amendments need to be made a member of the recruitment team should be consulted to ensure consistency of roles and salaries across the network.

Person specification: this should set out the essential requirements for the post in terms of qualifications, skills, knowledge and experience, personal characteristics or other qualities that candidates will need to demonstrate. The person specification should make it clear that candidates will be expected to demonstrate a commitment to safeguarding the welfare of children, and that this will be tested at interview.

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<sup>1</sup> This policy applies to all Ark Schools staff. Appropriate substitutions will be made to accommodate differences in organisational structures across the Ark Schools network and central office. For example, for primary academies all references to the principal are replaced with the head teacher.

<sup>2</sup> For Ark Schools central office and for Ark Schools central office teams, all references to the principal are replaced with the CEO, Managing Director, or other appropriate senior leader, and all reference to the senior leadership team is replaced by the senior team.

Again, template person specifications can be obtained online. Information pack for applicants: essential information about the academy/post; job description; person specification; the standard Ark Schools information about the recruitment process and how it safeguards against employing

adults who might harm children; and any relevant policies for equality and diversity. All information packs are available online and will be approved by the academy principal and the recruitment team before posting.

#### Stage two: Advertising and applicant management

The recruitment advert should be attractive, clear, and communicate the right messages. It has been drafted by the recruitment team and approved by the academy principal and includes:

post title, and a brief description of the associated duties

remuneration

whether full time or part time

essential characteristics/qualifications/skills/ experience necessary

details of the academy, and who to contact for further information

a statement of Ark Schools' commitment to equal opportunities and commitment to safeguarding and promoting the welfare of children

the requirement for an enhanced DBS check

Every Ark Schools academy must use the Ark Schools application form which is found on the Recruitment portal. The application form has been designed to ensure that the following minimum information is obtained from candidates prior to the shortlisting stage:

full identifying details of the applicant including current and former names, current address and contact details, and National Insurance number

academic/professional qualifications relevant to the post applied for, with details of the awarding body and dates

for teachers, their QTS reference number

confirmation of whether the applicant requires a work visa (and details associated with this)

a full chronological history since leaving education, including periods of training, work (including voluntary work), and an explanation for any gaps. Start and end dates should be provided in all instances. In some instances a short application form accompanied by a CV is accepted provided the preceding points are explored at interview

a declaration of any family or close relationship to existing employees, Ark Schools central office staff member or to academy governors and Trustees

contact details for two referees (one of whom **must** be the applicant's current or most recent employer). Where the applicant is applying for a teaching position and his or her current job does not involve working with children, a reference should be sought from their most recent employer where it did.

a supporting statement of the knowledge/skills/experience/personal qualities that the applicant is able to bring to the job, and how they feel they meet the person specification

a signed, dated statement from the applicant that they are not disqualified from working with children, or subject to sanctions imposed by a regulatory body such as the National College of Teaching and Leadership or qualifications awarding organisations

a signed statement declaring if they have any criminal convictions, cautions, reprimands or final warnings not filtered under current guidelines.

#### Shortlisting

Short-listing is the first stage of the selection process. Principals will ensure that the following standards are met:

the short listing panel must include a minimum of two senior academy employees and/or Ark Schools recruitment team. Those responsible for short-listing should normally take part in the interview process; at least a minimum of one short-lister should be on the panel

the members of the panel must shortlist the applications independently of each other before meeting and agreeing a final list to interview. All applications are scrutinised for consistency and completeness of information, gaps in employment, anomalies and discrepancies. Incomplete applications are not accepted. Curriculum Vitae must be accompanied by an appropriate safeguarding statement and/or short application form.

a standard short-listing matrix is to be used for recording applicants and whether they met the short-listing criteria as defined by the job specification. The cut-off score for selection should be agreed before the applications are assessed and applied consistently to all applications.

all candidates are assessed equally against the criteria contained in the person specification.

#### Invitation to interview

Prior to inviting short-listed candidates for interview/testing, the principal must ensure that: candidates are made aware that: 'the interview will assess their suitability to work with children and will include questions relating to safeguarding and promoting the welfare of children'

for teaching staff, references are sought for each candidate (Ark Schools' reference request template must be used, since it addresses particular areas of concern)

candidates are asked to bring identification documents, qualifications and certificates to the interview. **Important note:** It is essential that references, qualification details, and other documents provided by the applicant are cross-checked against details on the application form, in order to rule out possible anomalies. Where anomalies are found or where references are vague or unspecific, follow-up action will be taken by the principal to establish the candidate's suitability for the post.

#### Interviews

The principal must ensure that:

no offer of appointment is made without the candidate having attended a face-to-face interview, or where this is not possible, a video conference.

interviews are conducted by a minimum of two interviewers at all times

interviewers have received appropriate training, and in particular at least one member of every panel must have undertaken Safer Recruitment training [staff requiring this training should contact the Central Recruitment team at [recruitment@arkonline.org](mailto:recruitment@arkonline.org)]

a core set of questions to be asked of all candidates is drawn up prior to interview (or provided by Ark Schools), based on the person specification (normally competence- based)

additional questions are prepared related to safeguarding and promoting the welfare of children, including:

motivation to work with children and young people

ability to form and maintain appropriate relationships and personal boundaries with children and young people

ability to deal with challenging behaviours and attitudes to use of authority and maintaining discipline

the interview panel agrees the required standards before the interviews take place and how they are to be measured

the interview panel agrees beforehand what additional issues specific to each candidate need to be explored at interview (based on the candidate's application and references)

candidates are reminded that their identity needs to be checked and that they are subject to an enhanced criminal background check

Pre-employment checks (see paragraph 8 for detailed guidance)

The principal must ensure that all offers are made conditional on completion of all checks and that (other than in the most exceptional of circumstances which must be discussed with the head of

recruitment at Ark Schools) new recruits do not commence work without the following checks having been satisfied.

Staff responsible for pre-appointment checks in schools should refer to the Ark Schools document 'Safe Recruitment: Pre-Employment Checks and the Single Central Register, Ark Schools Guidance for HR Administrators'.

verification of qualifications and/or professional status (previously DCSF registration number and now GTCE registration)

evidence of identity and address (see either a birth certificate, driving license, or passport combined with evidence of address)

confirmation that the applicant can legally take up employment in the UK

List 99 check

enhanced criminal background disclosure

health check/medical questionnaire (post offer)

completion of statutory induction period (applies to teachers who obtained QTS after 7/5/99)

two satisfactory references

overseas criminal record check (where necessary)

for those being recruited to a management position, a Section 128 check must be carried out (see 8.3)

The principal is responsible for ensuring that all of the above checks are confirmed in writing; that the checks are followed up if they are unsatisfactory or where there are discrepancies and finally, that these written confirmations are retained on the individual's personnel file (subject to certain restrictions in relation to criminal background checks).

In addition, all staff are subject to a six-month probation period.

Post-appointment documentation

Application and interview details of those candidates not appointed should be destroyed after 6 months from the interview date. All other relevant recruitment documentation relating to the chosen candidate must be kept securely, including:

application form (including signed declaration)

interview assessment notes

short-listing forms

documentation from any selection tests.

If the chosen candidate is being sponsored on a Tier 2 visa by Ark Schools then all applications and interview details of every candidate assessed should remain on file until the UK Boarder Agency gives permission for them to be destroyed.

Pre-employment checks

Disclosures (DBS)

All prospective employees and other adults working or otherwise having substantial unsupervised access to children require an *enhanced disclosure*.

Candidates are asked to apply for a disclosure after a provisional offer of employment has been made. Criminal background checks are completed before the employee takes up their post. **The candidate will receive a certificate, which must be shown to the recruiter.**

**In some exceptional circumstances it may be possible for an individual to start employment without a returned criminal background disclosure. The central People team must be consulted prior to the employment start date where this is considered necessary. If it is determined there is a clear and urgent need for the post the central People team will then advise on the process for completing a risk assessment.**

**It is the responsibility of the Principal to ensure that such measures are in place and that the candidate is supervised whilst working at the academy.**

#### Barred List

A barred list check is carried out as part of the enhanced DBS check. Therefore, it is only necessary to conduct this check separately in the exceptional circumstances when a disclosure has not been returned prior to the employees start date.

Section 128 Checks (for those being recruited to a management position)

A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited, is unable to participate in any management of an independent school such as: a management position in an independent school, academy or free school as an employee; a trustee of an academy or free school trust; a governor or member of a proprietor body for an independent school; or a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

A check for a section 128 direction can be carried out using the [Teacher Services' system](#). Where the person will be engaging in regulated activity, a DBS barred list check will also identify any section 128 direction.

The grounds on which a section 128 direction may be made by the Secretary of State are found in the relevant regulations.

#### References

All candidates are required to provide details of two referees, one of whom should be their current employer. Should the candidate not currently be working with children, a reference must be sought from their most recent work with children. (this is not necessarily relevant for Central posts). Referees are asked to complete a detailed questionnaire, including whether the candidate has been subject to concerns for any child protection issues.

Please refer to the Ark Schools document 'HR: Pre-employment Guidance – References.

#### Qualifications

Candidates are required to provide evidence of their professional qualifications (where this is a requirement of the job), including evidence of QTS, their DCSF or GTCE registration number. Academies must ensure that the registration is still valid through the online [National College of Teaching and Leadership](#) Access Service.

#### Right to work

Candidates are required to provide evidence of their right to work in the UK. Candidates who have lived outside of the UK for three years or more will also be required to provide an overseas criminal records check.

#### Medical fitness

Candidates are asked to complete a confidential medical history questionnaire which is reviewed by Ark School's medical advisors.

#### Agency staff

All agencies providing staff, whether on short or long-term contracts, are required to meet the standards of pre-employment screening set out above. A record/confirmation of the checks each agency undertakes needs to be kept.

#### Single Central Register

A single central record of safeguarding checks for those who work within an Ark Schools Academy on a paid or voluntary basis must be maintained. This information should be entered into the HR system and reports on this information will be extracted from the system as required. A separate spreadsheet should be kept for volunteers and other visitors not entered into the HR system.

Staff responsible for maintaining the Single Central Register should refer to the Ark Schools School's document 'Safer Recruitment: Pre-Employment Checks and the Single Central Register, ARK Schools Guidance for HR Administrators' for full details.

#### Criminal records disclosure details

Criminal records checks disclose information on criminal convictions to organisations that employ people in positions of trust or deliver services to vulnerable individuals. It is a statutory requirement to obtain disclosures for all staff who work in academies.

The following paragraphs provide information and advice to ensure that staff use disclosure information in accordance with the *Employment Statutory Code of Practice* [this includes the Data Protection Act and other relevant legislation relating to handling, storage, retention and disclosure of information] that Ark Schools academies must comply with.

#### Information provided on disclosure certificates

There are two levels of disclosures, enhanced and standard. All staff employed by Ark Schools are subject to an enhanced disclosure and applicants should not be allowed to start work at in a post requiring a disclosure until a satisfactory certificate has been received. This includes temporary employees and secondments. However, in exceptional circumstances Ark Schools may allow the applicant to start work in an alternative post or with appropriate supervision pending the receipt of the disclosure.

#### Enhanced disclosure and barred list

This includes all unspent convictions recorded on the Police National Computer (PNC) and also any unspent cautions, reprimands or final warnings.

Enhanced Disclosures may also contain other information from local police records that might be relevant to the post for which the disclosure is being requested. Exceptionally (typically to protect the integrity of current police investigations), additional information may be sent under separate cover to the counter-signatory. Additional information provided by the police must not be revealed to the applicant.

**If a person is barred from teaching, they must not be employed in such a role.**

## Limitations of disclosure information

The information provided on a disclosure certificate is limited to basic facts: for example, the date, offence and sentence. It does not set the offence in context. If the information on the disclosure certificate gives cause for concern, the applicant must be given the opportunity to discuss this information. Only then should a final decision on the individual's appointment or employment be made.

Staff should be aware that disclosure certificates are an important part of the overall recruitment process, which should also include references, qualification checks and interviews. Disclosure certificates requested by other employers must not be accepted because a disclosure will only contain relevant information on offences up to the date it was issued.

## Services of an umbrella body

Ark Schools uses the services of an umbrella body (currently DDC Limited) to complete these checks.

## Responsibility within Ark Schools

All staff must treat all disclosure information in the strictest confidence. It is an offence under the *Police Act 1997* to pass disclosure information to unauthorised persons. This means that disclosures and the information they contain are only passed to staff who need to have access to it in the course of their duties. Members of staff who pass confidential disclosure information to an unauthorised person will be subject to disciplinary procedures.

## Designated responsibility for Ark Schools

The Head of HR has responsibility for ensuring that all members of the recruitment team and school based staff responsible for recruitment are trained in Ark Schools' recruitment and selection procedure and the background checks procedure and the management of and arrangements pertaining to the services of the umbrella body (see 9.4)

The HR Advisor will work in consultation with the principal, to assess whether applicants whose criminal background disclosure gives cause for concern should be employed

## Verifiers

A verifier must check the disclosure application form has been completed correctly and check the evidence of identity provided by individuals. Each academy must maintain records of disclosures requested and received. If a verifier receives a disclosure for a job applicant that gives rise to any concerns, they must inform the principal and Head of HR at Ark Schools immediately.

## Lead recruiters (including managers of agency workers)

All staff responsible for recruiting to posts that require a disclosure must ensure they adhere to this policy. Academy staff must also ensure that agencies providing cover staff who are subject to a disclosure provide a valid disclosure reference number and verify the individual's identity before they perform duties on Ark Schools' behalf.

## Making decisions using disclosure information

Any decisions should be made only after following the procedure laid down here:

#### Identify and discuss concerns

If a disclosure reveals information that gives cause for concern, the verifier should first check whether the individual has previously disclosed details of any convictions or cautions. The principal should then meet with the individual to confirm that the disclosure is accurate.

If the individual has not disclosed the convictions on an application form, they should be asked why. The principal should be concerned about any failure to provide the required information.

If an individual denies that the convictions relate to them a further check must take place. The verifier should contact the relevant government organisation to advise that there is a dispute on the evidence submitted. The relevant government organisation will then undertake an investigation.

#### Factors to consider when making a decision

Once it is established that the convictions or cautions relate to the individual, the principal should explore with them the circumstances surrounding the convictions/cautions. An applicant's criminal record should be assessed in relation to the tasks they will be required to perform and the circumstances in which the work is to be carried out. Factors to consider may include:

the seriousness of the offence

the degree of risk that the offence suggests that the individual represents

repeat offences: was the offence a one-off or part of a history of offending

the age of the offence and whether or not committed whilst a juvenile

whether the offence has been decriminalised by Parliament

an examination of the circumstances of the offence(s), for example the candidate's age at the time,

the influence of financial or domestic circumstances

whether circumstances have changed since the offence was committed, making re-offending highly unlikely

the nature of the job and the extent of job supervision i.e. does the nature of the job present any opportunities for the postholder to re-offend in the course of their work, such as one-to-one contact with children

if the applicant disclosed the offence on their original application

A conviction or caution is not an automatic bar to employment with Ark Schools but serious consideration will be given before a decision is made.

The decision should be documented, agreed by the Head of HR at Ark Schools and recorded in a sealed envelope on the employee's personnel file.

#### Non-conviction information

In instances where a disclosure leads to the police revealing additional non-conviction information, either on the disclosure itself or in a separate letter, it must not be passed on to the individual. Sharing such information with the individual would be an offence under the *Police Act 1997*. Non-conviction information, which may include details of a continuing investigation, can be important in determining whether someone is suitable to work in a particular post.

If a decision is made not to confirm an offer of employment to a job applicant because of non-conviction information, the individual should be informed that the offer of employment has been



withdrawn. If the individual queries the decision no further justification can be given. Non-conviction information is exempt from the *Data Protection Act* provisions in relation to subject access requests *and from the Freedom of Information Act*. In the event of Ark Schools being taken to an employment tribunal as a result of a decision based on non-conviction information, the details will be given to the chairman of the tribunal.

#### Commencing employment

As a general rule, no applicant should be allowed to start work for Ark Schools in a post requiring a disclosure until a satisfactory certificate has been received. This includes temporary employees and secondments. In exceptional circumstances, the principal may decide, in consultation with Ark Schools Central People team, that an applicant can start work before the disclosure is received. This must only be in situations where there is an urgent need to maintain service delivery and all reasonable steps have been taken to protect the safety of children. Reasonable steps to protect children include not allowing unsupervised access to children, allowing the applicant to start work in an alternative post or shadowing other employees.

#### Agency workers

Where agency cover is used for posts that require a disclosure certificate, the agency must be asked to provide the reference number of a satisfactory enhanced disclosure for their worker. Disclosure reference numbers should be checked to ensure that the agency is providing references to valid certificates. If the agency is unable to provide the necessary disclosure reference, the agency worker should not be used. The principal is responsible for issuing contracts to approved agencies and must ensure this requirement is contained in the terms and conditions of contracts.

#### Self-employed staff/consultants

Whereas agencies will be required to provide disclosure references and other assurances for workers that they provide, any self-employed staff or consultants used to fill interim or peripatetic roles must have the same enhanced DBS and barred list checks made as for other staff.

#### Storage and handling of disclosure information

In accordance with Section 124 of the Police 1997 Act, disclosure information should only be passed to those who are authorised to receive it in the course of their duties. Ark Schools Academies must maintain a record of all those to whom the disclosure or disclosure information has been revealed and be aware that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

The only necessary criminal background check information to be retained is the disclosure number and date of disclosure. These should be retained on the academy's single central register.

#### Complaints

If an individual disputes the accuracy of information contained in a disclosure, Ark Schools will inform them to contact the relevant government organisation so an investigation can be undertaken.