

APPENDIX A

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Protection and wider safeguarding

What is Child Abuse? Definitions, signs and symptoms.

The following definitions are taken from ‘*working together to safeguard children* HM Government’ (2018). 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.

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.

In the social context of the school, it is normal to ask about a noticeable injury. The response to such an enquiry is generally light-hearted and detailed. So, most of all, concern should be increased when:

- 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

You 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

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 it 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

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 nonpenetrative 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.

Characteristics of child sexual abuse:

- it is often planned and systematic – people do not sexually abuse children by accident, though sexual abuse can be opportunistic
- grooming the child – people who abuse children take care to choose a vulnerable child and often spend time making them dependent
- grooming the child's environment – abusers try to ensure that potential adult protectors (parents and other carers especially) are not suspicious of their motives.

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

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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.

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

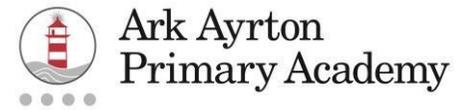
Behavioural indicators of neglect

- 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

Ark Ayrton Primary Academy has an attendance policy which is shared with staff, parents and pupils as part of induction, via the school website and the staff code of conduct.

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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 gives due regard to this responsibility and the attendance policy is written in accordance with “Children missing education: Statutory guidance for local authorities” (January 2015)

Ark Ayrton Primary 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 Ark Ayrton Primary Academy without the authorisation of the designated safeguarding lead and without confirmation from the school the pupil is joining or without Ark Ayrton Primary 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, Ark Ayrton Primary Academy 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?

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 schools should have 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. Ark Ayrton Primary Academy provides support for staff via the ARK support network. Ark Ayrton Primary Academy 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.

Each NHS organisation will have local safeguarding protocols and procedures for helping children and young people who are at risk of or facing abuse. These should include multi-agency policies and procedures, consistent with those developed by their Local Safeguarding Children Board. If organisations have not already done so, these should be reviewed to include handling cases where FGM is alleged or known about or where there is a potential risk of FGM identified. These policies and procedures should consider the characteristics around FGM, ensuring that the response to FGM includes the sharing of

information with multi-agency partners throughout the girl's childhood, and that if, or when, the risk facing the girl changes (which may mean it escalates or even becomes less immediate), this is identified and consideration is given as to whether or not a change in subsequent safeguarding actions are required. It must always be remembered that fears of being branded 'racist' or 'discriminatory' must never weaken the protection that professionals are obliged to provide to protect vulnerable girls and women.

As FGM is a form of child abuse, professionals have a statutory obligation under national safeguarding protocols (e.g. Working Together to Safeguard Children 2018) 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 number 101 in cases where a girl under 18 either discloses that she has had FGM or the professional observes physical signs of FGM.¹

One specific consideration when putting in place safeguarding measures against FGM is that the potential risk to a girl born in the UK can usually be identified at birth, because through the antenatal care and delivery of the child, NHS professionals can and should have identified that the mother has had FGM. However, FGM can be carried out at any age throughout childhood, meaning that identifying FGM at birth can have the consequence that any safeguarding measures adopted may have to be in place for more than 15 years over the course of the girl's childhood. This is a significantly different timescale and profile compared with many of the other forms of harm against which the safeguarding framework provides protection. This difference in approach should be recognised when putting in place policies and procedures to protect against FGM.

This guidance has been developed to provide information about the specific issues frequently encountered when dealing with FGM. In addition, it provides a framework which organisations may wish to adopt to support professionals in the ongoing consideration of risks pertaining to FGM.

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. Professionals 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.

Information sharing in relation to FGM

Given the need to potentially safeguard over a number of years, it is appropriate to recognise here that there are a number of different responses to safeguard against FGM, and appropriate courses of action should be decided on a case by case basis, with expert input from all agencies involved. Sharing information in line with agreed policies and procedures is critical to safeguarding effectively. This is often sharing information to support safeguarding across organisational boundaries.

Staff should follow the FGM Mandatory reporting duty to report when a girl under 18 discloses she has FGM, this report is to be made to the police via the 101 non-emergency number or be raised with the DSL as an immediate risk.

Duties under the Counter Terrorism and Security Act 2015 (The ‘Prevent Duty’)

Ark Ayrton Primary 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.

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 centred around a common identity, or territory, or ethnic group/religion, and whose activity is centred 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.

Ark Ayrton Primary 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.

More broadly, Ark Ayrton Primary Academy 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 designated senior person for child protection using the safeguarding procedures detailed within this policy and where a judgement is made that input from external agencies is needed, the designated person will seek advice from the local authority.

There are specific topics and skills that Ark Ayrton Primary 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

Ark Ayrton Primary 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, Ark Ayrton Primary 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

At Ark Ayrton Primary 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 relevant senior designated person for child protection immediately.

Medicine & First Aid – Please see relevant policy

Health & Safety – Please see relevant policy

Educational visits/Transporting children on school activities - Please see relevant policy

Intimate care – Please also see relevant policy

Principles

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. Such care might include:

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Providing comfort or support for a distressed pupil

Assisting a pupil requiring medical care, who is not able to carry this out unaided

Cleaning a pupil who has soiled him/herself, has vomited or feels unwell

Providing comfort or support

Children may seek physical comfort from staff. 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.

Medical procedures

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:

a The pupil's name

b Written instructions provided by parents or doctor

c Prescribed dose

d Expiry date

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

The Headteacher 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.

Soiling

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

a Protective gloves are worn

b The procedure is discussed in a friendly and reassuring way with the child throughout the process

c The child is encouraged to care for him/herself as far as possible

d 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

f All spills of vomit, blood or excrement are wiped up and flushed down the toilet g Any soiling that can be, is flushed down the toilet

h Soiled clothing is put in a plastic bag, unwashed, and sent home with the child

Hygiene

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

Protection for Staff

Members of staff need to have regard to the danger of allegations being made against them and take precautions to avoid this risk. These should include:

Gaining a verbal agreement from another member of staff that the action being taken is necessary

Allow the child, wherever possible, to express a preference to choose his/her carer encourage them to say if they find a carer to be unacceptable

Allow the child a choice in the sequence of care

Be aware of and responsive to the child's reactions

SEND – Please refer to the separate policy

IT – Please refer to the separate Policy

Whistleblowing

[Ark Whistleblowing Policy 2021-23.pdf](#)

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 Ark Ayrton Primary 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 Ark Ayrton Primary Academy Code of Conduct which is issued to all staff as part of induction.

Similarly, all Ark Ayrton Primary Academy 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.

Local Authority Requirements

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.

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 (emotionally vulnerable)

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 should not automatically be delayed until the 16th 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

11.1 Ark Ayrton Primary 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.

- 11.2** Ark Ayrton Primary 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.
- 11.3** The PSHE curriculum at Ark Ayrton Primary Academy actively teaches pupils to approach matters of mental health in the same manner they would approach matters of physical health: seek help, advice, support and comfort.
- 11.4** 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.
- 11.5** 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.
- 11.6** Ark Ayrton Primary Academy 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.
- 11.7** Class Teachers, the pastoral team and other school leaders involved in pastoral care and safeguarding meet on a weekly basis at Ark Ayrton Primary 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 local healthcare professionals such as CAMHS or the local GP.
- 11.8** 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.
- 11.9** All staff at Ark Ayrton Primary Academy understand that certain individuals or groups are more at risk of mental health problems than others and that the risk factors are cumulative. Ark Ayrton Primary Academy 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).
- 11.10** At Ark Ayrton Primary Academy, in addition to the whole-academy PSHE curriculum, protective factors are also promoted by having clear policies on behaviour and bullying (see relevant section above) and by quickly addressing negative peer influences using the academy behaviour policy. Most

importantly the academy has high expectations for all pupils academic success and has robust systems and procedures in place for supporting pupil achievement

11.11 Staff at Ark Ayrton Primary Academy 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

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

11.13 Where self-harm, threats of self-harm or suicidal ideation are known to have taken place, staff at Ark Ayrton Primary Academy 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 \(March 2016\)](#)



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

<p>In the community</p>	<ul style="list-style-type: none"> • Socio-economic disadvantage • Homelessness • Disaster, accidents, war or other overwhelming events • Discrimination • Other significant life events 	<ul style="list-style-type: none"> • Wider supportive network • Good housing • High standard of living • High morale school with positive policies for behaviour, attitudes and anti-bullying • Opportunities for valued social roles • Range of sport/leisure activities
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Primary-Secondary transition

Ark Ayrton Primary Academy will endeavour to contact the SENCo in every secondary school that students may transition to. Details of any SEND will be given along with details of any supportive interventions that may be in place.

Visits may be arranged to help students overcome the anxiety associated with transition. In some cases this may involve arranging several visits which include an opportunity to spend time in classes and experience the classroom changes that happen during a normal school day.

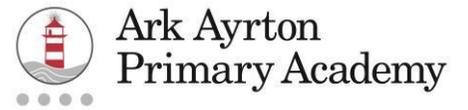
Internet and /or E-Safety

Ark Ayrton Primary 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 Ark Ayrton Primary Academy, pupils will be taught what usage is appropriate and what is not and pupils will be given clear objectives for internet use.

Safeguarding Policy – Appendix A



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 pupils and parents. However, staff are only permitted to use their official, school-provided email account for such communications.

Ark Ayrton Primary 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 senior person for child protection or the Finance and Resources Director – 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.

Ark Ayrton Primary 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, Ark Ayrton Primary 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.

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 designated senior person for child protection 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 Ark Ayrton Primary Academy Staff and volunteers are issued with the Academy Code of Conduct during Induction and familiarize themselves with its contents.

7.2. 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.

7.3 The Code of Conduct establishes how Ark Ayrton Primary 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 & Attitudes

Behaviour – see relevant policy

Anti – Bullying and Harassment

Ark Ayrton Primary 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).

Safeguarding Policy – Appendix A

Ark Ayrton Primary 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. Ark Ayrton Primary 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.

Ark Ayrton Primary 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 restorative 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

Ark Ayrton Primary 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 – see relevant policy

Use of Reasonable force/Physical Intervention /Positive Handling

Ark Ayrton Primary 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) Ark Ayrton Primary 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

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 relevant senior designated person for child protection immediately. Hard copies of the proforma can be collected from the designated senior persons or school administrators.

Before using Physical Intervention, Ark Ayrton Primary Academy 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, Ark Ayrton Primary Academy 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.

Ark Ayrton Primary 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 Ark Ayrton Primary 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 designated senior person 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, Ark Ayrton Primary Academy educates pupils about the importance of understanding both the potential positive and negative implications of different types of images of them themselves. Also, to educate pupils 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 (2020)' 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 school's 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. It is also likely that incidents dealt with under this policy will involve older students and their behaviour towards younger students or those who are vulnerable.

The safeguarding implications of sexual activity between young people

The intervention of child protection agencies in situations involving sexual activity between children can require difficult professional judgments. Some situations are statutorily clear – for example, a child under the age of 13 cannot consent to sexual activity. A referral to social care will always be completed if there is any indication of sexual activity involving any child in the Academy.

Procedure

At Ark Ayrton Primary Academy, we believe that all children have a right to attend school and learn in a safe environment. Children should be free from harm by adults in the school and other students.

We recognise that some students will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the school's behaviour policy.

Prevention

As a school we will minimise 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 issues 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)

Ark Ayrton Primary Academy will use a programme of sessions each year to cover a programme of SRE, study skills, financial skills, careers information and healthy lifestyles. SMSC is integral to the whole curriculum. This is then co-ordinated to ensure that each pupil gets a strong understanding of SMSC values.

Safety

School site security

Ark Ayrton Primary Academy has a secure fence around the perimeter. Access through all gates other than directly into reception will be restricted to the fifteen minutes prior to the beginning and ending of the day. Academy staff will 'man' the gates in the morning to ensure that all non-Academy adults have left the site prior to the gates being locked at 0900.

Visitor Management

All visitors will report to reception, receive a visitor badge along with information regarding safeguarding, first aid and emergency procedures. No visitor will be allowed unaccompanied around the school site unless a previous DBS check has been completed. Visitors will also be required to sign back out of the school site.

Coping with a school emergency/Emergency response plan

The Senior Leadership team and the DSL will review the Emergency response plan to ensure that all relevant staff understand their role if there is an emergency. The Academy Health and Safety Committee will ensure that aspects of the plan that require practice are completed in a timely fashion with the plan being updated if any needed changes are identified.

HR & Governance

Safer recruitment

The purpose of this document is to provide a brief summary of the checks and information needed for the Single Central Register. 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.

Guidance on completing checks and what records to keep

CHECK	DOCUMENTS TO KEEP ON FILE	IF CHECK NOT COMPLETED BEFORE START DATE	INFORMATION TO ENTER IN SNOWDROP	ADDITIONAL GUIDANCE
Identity check	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.	

CHECK	DOCUMENTS TO KEEP ON FILE	IF CHECK NOT COMPLETED BEFORE START DATE	INFORMATION TO ENTER IN SNOWDROP	ADDITIONAL GUIDANCE
List 99 check	Print out of check to go on file. Date of check must be recorded on Snowdrop. From 2012: For staff working in 'regulated activity' only. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/249435/dbsfactsheet-regulated-activitychildren.pdf	This check should be completed prior to an offer of employment. 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'.	<u>Always use details on ID provided. Check all variations of name.</u>

Safeguarding Policy – Appendix A

<p>Enhanced DBS disclosure</p>	<p>Email notification from DDC which includes DBS Disclosure number and date of issue File notes (if applicable).</p> <p>Risk assessment form (if applicable).</p>	<p>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.</p> <p><u>Very 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:</u></p> <p>HR Manager for the school is consulted.</p> <p>A list 99 is completed (for staff working in ‘regulated activity only’.</p> <p>There is a demonstrable urgent need for the employee to start</p> <p>An online DBS form has been completed and sent to the DBS</p> <p>All other pre employment checks have been completed</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</p> <p>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</p>	<p>DBS Guidance</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
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		<p>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.</p> <p>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 to start work.</p> <p>From June 2013, it will be possible to accept a previous CRB for <u>some</u> people and check if it is still up to date using the DBS Update Service. This is only possible where the recruit has a disclosure dated after 17 June 2013 and has paid the annual fee to keep their information up to date. The check can be done at https://secure.crbonline.gov.uk/crsc/check (you will need the person's disclosure certificate). Print out and file the confirmation that there has been no change. If the check results in the wording 'This Certificate is no longer current.', then you must complete the usual DDC check process. As with the DDC process, if the disclosure certificate has any content, you must discuss this with the relevant central HR Manager before allowing work to start.</p>	<p>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>	
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CHECK	DOCUMENTS TO KEEP ON FILE	IF CHECK NOT COMPLETED BEFORE START DATE	INFORMATION TO ENTER IN SNOWDROP	ADDITIONAL GUIDANCE
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Safeguarding Policy – Appendix A



<p>Right to work in the UK</p>	<p>Ideally, the employee will provide his/her passport.</p> <p>Copy of the passport front cover and photo page to go on file.</p> <p>If the employee cannot provide a British or EEA passport, please send documents through to hssystem@arkonline.org for checking. Please refer to the Right to Work Checking Tool or contact HR for further advice.</p>	<p>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.</p> <p>Allowing an employee to commence work prior to these checks can result in large fines and/or imprisonment.</p>	<p>In ‘Background Checks’ – check type of ‘Right2Work’.</p> <p>Check result must be either ‘EEA or Swiss Citizen’, ‘Indefinite Leave to Remain’ or ‘Limited Leave to Remain’</p> <p>Enter type of document and any reference numbers in the reference field e.g “British passport 1234567”</p> <p>For Limited Leave to Remain ensure all fields are completed, including expiration dates.</p>	<p>Right to Work Checking Tool</p> <p>EEA Countries</p>
<p>Quals</p>	<p>Copies of all relevant certificates.</p>	<p>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.</p>	<p>In the Qualifications screens.</p>	
<p>QTS Employer Access – Teaching Staff Only</p>	<p>A printout of the Employer Access Register to be kept on file.</p>	<p>The Employer Access service must 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.</p> <p>The service lists:</p>	<p>In ‘Background Checks’ – check type of ‘QTS’.</p> <p>Include DFE number in reference field</p>	<p>What is QTS?</p>

Safeguarding Policy – Appendix A

CHECK	DOCUMENTS TO KEEP ON FILE	IF CHECK NOT COMPLETED BEFORE START DATE	INFORMATION TO ENTER IN SNOWDROP	ADDITIONAL GUIDANCE
		<p>teachers who have been prohibited from teaching.</p> <p>teachers who may be the subject of a suspension or conditional order imposed 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>https://www.education.gov.uk/employeraccess/LoginAction.do</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 https://www.ifl.ac.uk/cpd-and-qtls/professional-statusregister/</p> <p>If you are hiring a teacher from overseas, please check this document for guidance: https://www.gov.uk/government/publications/employing-overseastrained-teachers-from-outside-the-eea</p> <p>HLTA status should also be checked for HLTAs - by checking HLTA Qualification certificate.</p>	<p>NOTE: HLTA status should also be checked for HLTAs - by checking HLTA qual certificate.</p>	

Safeguarding Policy – Appendix A

CHECK	DOCUMENTS TO KEEP ON FILE	IF CHECK NOT COMPLETED BEFORE START DATE	INFORMATION TO ENTER IN SNOWDROP	ADDITIONAL GUIDANCE
Overseas criminal record check (where necessary)	<p>This is only necessary where an employee has moved from overseas, as the DBS check does not access overseas records. A certified copy of the employee's police record ('Certificate of Good Conduct') from their last country of residence should be kept on file.</p> <p>Contact hssystem@arkonline.org for guidance</p>	<p>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.</p> <p>If this is provided in another language, the School should arrange own translation (should not accept employee's translation, as this can be easily falsified).</p>	In 'Background Checks' – check type of 'Overseas'.	DBS Guidance
Medical fitness	The BUPA feedback form and notes of any action taken as a result should be kept on file.	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.	In 'Background Checks' – check type of 'Medical'.	
References	<p>Two complete reference forms, covering the last three years. One must be most recent line manager.</p> <p>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.</p> <p><u>For TUPE'd staff who were hired prior to the school becoming an ARK Academy.</u> 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 'TUPE File Note completed'.</p>	In 'Background Checks' – check type of 'Reference' (One record for each reference.)	Reference Check Guidance Notes

CHECK	DOCUMENTS TO KEEP ON FILE	IF CHECK NOT COMPLETED BEFORE START DATE	INFORMATION TO ENTER IN SNOWDROP	ADDITIONAL GUIDANCE
Induction & probation period	Completed probation review forms.	Not applicable	Employment Information Tab – ‘Dates probation meetings held’ section	Probation Policy

Complaints policy

[Complaints Policy May2021-September2022 \(1\).pdf](#)

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

- └ Complainers 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 headteacher 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 body¹ 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.

¹ Under section 163 of the Education Act 2002 ³

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 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 headteacher to be of a complex nature. The investigatory

report will be presented to the headteacher for final determination. The complainant will receive a formal response in writing from the headteacher. (See paragraph 9 for complaints about the 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 with 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 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 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 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:

Safeguarding Policy – Appendix A

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 Ayrton Primary 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.

Ark Ayrton Primary 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

Ark Ayrton Primary 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).

Ark Ayrton Primary 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)

Childcare Disqualification Requirements October 2014 – Guidance

The Department for Education (DfE) has issued supplementary advice to their “Keeping Children Safe in Education” statutory guidance (September 2020), 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/publications/disqualification-under-the-childcare-act-2006/disqualification-under-the-childcare-act2006>

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.

What are Relevant Staff and Relevant Settings?

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

- a) staff who work in early years provision (including teachers and support staff working in school nursery and reception classes);
- b) 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>.

Immediate Actions for Academies

There are four key actions required:

1. 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>

2. Academies should contact Ark’s Head of Employee Relations (Shereen Moussa) immediately if they:
 - a. know now of anyone in their employment who is or may be disqualified
 - b. 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.

3. 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).
4. 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

Ark Ayrton Primary Academy will ensure that the Safeguarding Link Governor receives appropriate Safeguarding training on an annual basis. The LGB will receive updates about safeguarding on a termly basis. The Link Governor will meet with the DSL on a regular basis to reassure themselves that all procedures are followed and that record keeping is up to date.

The LGB will respond to information shared by reviewing trends in the reporting of safeguarding incidents and bullying incidents.

Any concerns of the LGB will be referred to the ARK Head of Safeguarding.