



HILL HOUSE SCHOOL

Safeguarding Children

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This policy is drawn up following guidance in

- Keeping Children Safe in Education (Sep 2016) (KCSIE) with effect from 1 September 2016
- KCSIE incorporates the additional statutory guidance, Disqualification under the Childcare Act 2006 (February 2015)
- KCSIE also refers to the non-statutory advice for practitioners: What to do if you're worried a child is being abused (March 2015)
- Working Together to Safeguard Children (March 2015) (WT)
- WT refers to the non-statutory advice: Information sharing (March 2015)
- Prevent Duty Guidance: for England and Wales (March 2015) (Prevent). Prevent is supplemented by non-statutory advice and a briefing note: The Prevent duty: Departmental advice for schools and childminders (June 2015), The use of social media for on-line radicalisation (July 2015)

And applies to all students under the age of 18.

The Staff Code of Conduct 2016 is available to parents upon request.

As and when new statutory guidance is issued the school will take measures to comply with any new regulations. These may not be included in this policy until the time of review, but will be appended instead.



HILL HOUSE SCHOOL

Key Safeguarding Information for Staff

The following points are taken from the Schools' Safeguarding Policy, which also applies to EYFS. This document should be kept in Staff Planners.

1. Definition of Safeguarding

Safeguarding applies to all students under the age of 18. The school follows a child centred and coordinated approach to safeguarding, acting in the best interests of the child at all times. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from maltreatment, including self-abuse.
- preventing impairment of children's health or development; and
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

2. Designated Safeguarding Lead

The Designated Senior Member of Staff for Safeguarding (Child Protection) is **Mr Jonathan Hall**, Head of Junior School, **01302 776300**, who has received training appropriate to his responsibilities. He takes lead responsibility for safeguarding children within the EYFS setting and liaising with local statutory children's agencies as appropriate. He is a trained 'Prevent' trainer.

The Assistant Child Protection Officer is **Mrs Rachael Simons**, **01302 776300**, who has received training appropriate to her responsibilities.

3. Safeguarding Training

All staff, including the Headmaster, receive appropriate training every 3 years by the Designated Safeguarding Lead in line with advice from DCSB, using DSCB training pack. Temporary and voluntary staff are made aware of these arrangements. All new staff attend a Child Protection Briefing on their first training day prior to their first term at the school as part of the induction programme. All staff must read at least Part One of KCSIE

4. A Member of Staff's Responsibility

Members of staff should understand that:

- If, at any point, there is a risk of immediate serious harm to a child a referral should be made to children's social care immediately. Referrals are normally made by the Designated Safeguarding Lead.
- Anybody **can** make a referral. If the child's situation does not appear to be improving the staff member with concerns should press for re-consideration. Concerns should always lead to help for the child at some point
- Report of a disclosure or suspicion of abuse must be made to the appropriate agency within 24 hours. **(LADO- Mr Jim Foy DMBC - Tel: 01302 734747, Referral and Response Team – 01302 734100.**
- A child or children can abuse another child.
- They have a duty and are able to raise concerns about poor or unsafe practice in regard to children by a colleague and that such concerns are addressed sensitively and effectively in a timely manner in accordance with the school's whistle blowing policy.
- When receiving a disclosure, the importance of avoiding asking leading questions and explaining that confidentiality cannot be promised.
- They have an individual responsibility for referring safeguarding (child protection) concerns, and are able to do so to external agencies.

- They are not permitted to transport pupils in their own cars and should take due precautions when engaged in 1-1 tuition/meetings or in physical exchanges (e.g games/music tuition)

5. Listening to Children

Children who report to a teacher (or other member of staff) that a member of education staff has abused them must be listened to and heard, whatever form their attempts to communicate their worries take. The following points give guidance on how to deal with a child who makes an allegation:

- The child should be listened to but not interviewed or asked to repeat the account. Avoid questions, particularly leading questions.
- The child should not be interrupted when recalling significant events.
- All information should be noted carefully, including details such as timing, setting, who was present and what was said, in the child's own words. The account should be obtained verbatim or as near as possible.
- Care should be taken not to make assumptions about what the child is saying or to make interpretations.
- Listened to means just that; on no account should suggestions be made to children as to alternative explanations for their worries.
- The written record of the allegations should be signed and dated by the person who received them as soon as practicable.
- All actions subsequently taken should be recorded.

A member of staff must not promise confidentiality to a pupil who makes an allegation. In responding to a child who makes disclosures, account should be taken of the age and understanding of the child and whether the child or others may be at risk of significant harm. While acknowledging the need to create an environment conducive to speaking freely, the member of staff should make it clear to a pupil who approaches him/her asking for confidentiality that, he/she will need to pass on what has been told so as to ensure the protection of the child(ren), in accordance with the local procedures agreed by the Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board. Within that context, the child should then be assured that the matter will be disclosed only to people who need to know about it. The support needs of a child who expresses concerns about significant harm should be considered and met, utilising resources within and/or beyond the school as necessary.

6. Whistleblowing

You should first raise your concern with your line manager. If for any reason you find this difficult you should report the matter to the Head of Sector, the Headmaster or the Chair of the Board of Governors

It is desirable that information should be given in writing. If the information is verbal this should be recorded and a copy given to the person raising the concern. The person should sign the record as an accurate account of the details provided.

The member of staff against whom the concern is raised will be informed at the earliest opportunity and be given the opportunity to respond. An official written record will be kept at all stages of the investigation.

If the person raising the concern wishes, feedback regarding the outcome of the investigation may be given. However information on specific actions will remain confidential.

Following an investigation, if the concerns raised are found to be false or made maliciously, disciplinary action may be taken and may be treated as gross misconduct.

7. Allegations Against a Member of Staff

The member of staff receiving the allegation of abuse against another member of staff or volunteer should report this immediately to the Headmaster. If the Headmaster is away, the allegation should be passed to the Chair of Governors, **Mrs Elizabeth Paver (01302 776300)**. The allegation should also be referred to the Designated Safeguarding Lead. However,

- If the Designated Safeguarding Lead is the subject of the allegation, the allegation should be referred to the Headmaster without informing the Designated Safeguarding Lead
- If the allegation is against the Headmaster, the allegation should be reported to the Designated Safeguarding Lead, who will inform the Chair of Governors without notifying the Headmaster.

Certain cases will need urgent action and require immediate referral under local child protection procedures, as detailed below. In case of serious harm, the police should be informed from the outset.

In such an allegation, the member of staff should

- obtain written details of the allegation, signed and dated from the person who received the allegation (not from the child who made and/or was the subject of the allegation) and countersigned and dated by the Headmaster (or Designated Safeguarding Lead or nominated governor where the allegation is against the Headmaster); Schools must not undertake their own investigations of allegations without prior consultation with the local authority designated officer (LADO), or in the most serious cases, the police, so as not to jeopardise statutory investigations. In borderline cases, discussions with the LADO can be held informally and without naming the school or individual
- record any information about times, dates, locations and names of potential witnesses.

8. Types of abuse and neglect

Abuse can include physical abuse, emotional abuse, sexual abuse, and neglect. Signs of these can be found in the full Safeguarding Policy. Specific safeguarding issues include:

- child sexual exploitation (CSE)
- bullying including cyberbullying
- domestic violence
- drugs
- fabricated or induced illness
- faith abuse
- female genital mutilation (FGM)
- forced marriage
- gangs and youth violence
- gender-based violence/violence against women and girls (VAWG)
- mental health
- private fostering
- radicalisation (PREVENT DUTY)
- sexting
- teenage relationship abuse
- trafficking
- forced marriage
- (so-called) honour based violence

Contact Details for reporting FGM (Mandatory October 2015):

South Yorkshire Police: In an emergency call 999, When it's a non-emergency call 101

The DfE dedicated telephone helpline and mailbox for non-emergency advice for staff and governors : 020 7340 7264 and counter-extremism@education.gsi.gov.uk).

The school's Missing Children Policy should be used when a child goes missing from school. Any such behaviour is to be reported to the Headmaster/Head of Juniors, who will judge if referral to the Child Protection Officer is appropriate.

9. School Processes

The school will ensure that:

- If early help is appropriate the designated safeguarding lead should, following the LSCB referral thresholds, support the teacher in liaising with other agencies and setting up an inter-agency assessment as appropriate. If early help and or other support is appropriate the case should be kept under constant review and consideration given to a referral to children's social care if the child's situation doesn't appear to be improving.
- A report of a disclosure or suspicion of abuse must be made to the appropriate agency within 24 hours. **(LADO- Mr Jim Foy DMBC - Tel: 01302 734747, Referral and Response Team – 01302 734100.**
- There is a procedure in place to identify and respond to children who go missing, particularly on repeat occasions
- Every member of staff, including Headmaster and part time staff, every governor and volunteer, receives a copy of Part 1 of KCSIE, the Staff Handbook and the Child Protection Policy
- It works to develop effective links with relevant agencies and cooperate as required with their enquiries regarding safeguarding (child protection) matters including attendance and written reports at initial case conferences, core groups and child protection review conferences
- It keeps clear detailed written records of concerns about children (noting the date, event and action taken), even where there is no need to refer the matter to the Referral Response Service immediately
- During school residential visits, all staff will have received basic training in safeguarding children. In the event of a child protection issue arising the group leader will contact the designated person at the earliest opportunity.

- It recognises that statistically children with behavioural difficulties and disabilities are most vulnerable to abuse. School staff who deal with children with profound and multiple disabilities, cerebral palsy, sensory impairment and or emotional and behaviour problems are particularly sensitive to signs of abuse.
- That all staff and volunteers are aware of the need for maintaining appropriate and professional boundaries in their relationships with pupils and parents.
- That staff and volunteers are aware that sexual relationships with pupils aged under 18 are unlawful and could result in legal proceedings taken against them under the Sexual Offences Act 2003 (Abuse of position of trust).
- It understands that not to make a report to DBS constitutes an offence
- Enhanced DBS checks are carried out on all staff. If the school has concerns about an existing staff member's suitability to work with children, the school should carry out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the school moves from a post that was not regulated activity, into work which is regulated activity, the relevant checks for the regulated activity must be carried out. The school's policy is to use the DBS Update Service.
- LGBT support is offered and there is a pathway for dealing with their needs, including safeguarding and equality support.

September 2016



HILL HOUSE SCHOOL

POLICY AND PROCEDURES FOR CHILD PROTECTION

DEFINITION

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

- protecting children from maltreatment, including self-abuse.
- preventing impairment of children's health or development; and
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

INTRODUCTION

Hill House School fully recognises its responsibility to have arrangements about safeguarding and promoting the welfare of children under:

- 1) Keeping Children Safe in Education (2016) (KCSIE)
- 2) Working Together to Safeguard Children (2015) WT

Through their day-to-day contact with pupils and direct work with families' staff at the school have a crucial role to play in noticing indicators of possible abuse or neglect and referring them to Referral Response Service.

This policy sets out how the school's governing body discharges its statutory responsibilities relating to safeguarding and promoting the welfare of children who are pupils at the school. This policy is made available to parents upon request, and is published on the school's website.

The health, safety and well-being of all our children are of paramount importance to all the adults who work in our school. Our children have the

right to protection, regardless of age, gender, race, culture or disability. They have a right to be safe in our school.

In our school we respect our children. The atmosphere within our school is one that encourages all children to do their best. We provide opportunities that enable our children to take and make decisions for themselves. The school ethos promotes a positive, supportive and secure environment giving the pupils a sense of being valued.

Our teaching of personal, social and health education and citizenship, as part of the National Curriculum, helps to develop appropriate attitudes in our children and makes them aware of the impact of their decisions on others. We also teach them how to recognise different risks in different situations, including the safe use of electronic equipment and access to the internet, how to behave and who to go to for help.

The school understands that there is a difference between safeguarding children who have suffered or are likely to suffer significant harm and those who are in need of additional support from one or more agencies. The former should be reported to Children's Social Care immediately; the latter should lead to inter-agency assessment using local processes, including use of the "Common Assessment Framework (CAF)" and "Team around the Child" (TAC) approaches.

There are four main elements to our policy:

PREVENTION through the teaching and pastoral support offered to pupils and the creation and maintenance of a whole school protective ethos;

PROCEDURES for identifying and reporting cases, or suspected cases, of abuse;

SUPPORT TO PUPILS who may have been abused, and

PREVENTING UNSUITABLE PEOPLE WORKING WITH CHILDREN.

Our policy applies to all staff and volunteers working in the school including community education staff and governors. Teaching assistants, ancillary staff, secretaries as well as teachers can be the first point of disclosure for a child. Concerned parents may also contact school governors.

The separate policy **STAFF/VOLUNTEER FACING AN ALLEGATION OF ABUSE** deals with the arrangements to be made to deal with allegations against a member of staff, volunteer or head.

1 **PREVENTION**

- 1.1 The School recognise that high self-esteem, confidence, supportive friends and good lines of communication with a trusted adult helps prevention.
- 1.2 The school will therefore:
 - 1.2.1 establish and maintain an ethos where children feel secure, are given the opportunity and encouraged to talk, and are listened to;
 - 1.2.2 ensure children know that there are adults in the school whom they can approach if they are worried or in difficulty;
 - 1.2.3 include in the curriculum, emotional literacy activities and opportunities for PSHE which equip children with the skills they need to stay safe from abuse and to know to whom to turn for help;
 - 1.2.4 include, in the curriculum, material which will help children develop realistic attitudes to the responsibilities of adult life, particularly with regard to child care and parenting skills, and allowing children to discuss their sexuality and have realistic attitudes to life if they are confused about feelings.
 - 1.2.5 work towards the "Every Child Matters" agenda with reference to the 5 outcomes for children.
 - 1.2.6 ensure that appropriate child protection checks and procedures apply to any staff employed by another organisation and working with the school's pupils on another site.
 - 1.2.7 take opportunities to include teaching of relevant safeguarding issues through PSHE and SRE (sex relationship education).

2 PROCEDURES

- 2.1 We will follow the procedures set out in Interagency Procedures produced by Doncaster Safeguarding Children Board (DSCB).
<http://doncasterscb.proceduresonline.com/>. Tel: 01302 734747
- 2.2 The school is aware of the need to follow such procedures also in the case of abuse by one or more pupils against another.
- 2.3 The Designated Senior Member of Staff for Safeguarding (Child Protection) is **Mr Jonathan Hall**, Head of Junior School, 01302 776300, who has received training appropriate to his responsibilities. The Assistant Child Protection Officer is **Mrs Rachael Simons**, 01302 776300, who has received training appropriate to her responsibilities. This includes training in the Prevent Duty to reduce the risk of extremism and radicalisation.

The Child Protection Officer receives the appropriate training every 2 years and attends mandatory 3 networks meetings a year with local authority, in line with Annex B of KCSIE. This also covers inter-agency working, participation in child protection case conferences, supporting children in need, record keeping and promoting a culture of listening to children.

All staff, including the Headmaster, receive appropriate training every 3 years by the Child Protection Officer in line with advice from DCSB, using DSCB training pack. Temporary and voluntary staff are made aware of these arrangements.

Enhanced DBS checks are carried out on all staff whether paid or unpaid who work regularly in the school. Where any individual starts work in regulated activity before the DBS certificate is available, then the school will ensure that the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed. A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting. A check of any prohibition can be carried out using the Employer Access Online Service.

All new staff attend a Child Protection Briefing on their first training day prior to their first term at the school as part of the induction programme, which includes:

- The school's child protection policy;
- The staff code of conduct
- Whistle Blowing Policy
- The identity of the designated person
- A copy of Part 1 of KCSIE.

The school will:

- 2.3.1 ensure it has a designated member of staff who has undertaken appropriate safeguarding (child protection) training, and is known as The Child Protection Officer. The CPO will be supported in various areas of the school by Assistants with appropriate training.
- 2.3.2 understand that the most common reason for children becoming looked after is as the result of abuse and/or neglect. The CPO is the designated teacher to promote the education achievement of these children. They should have the information about the care arrangements and level of authority delegated to the carer by the authority.
- 2.3.3 ensure that training in child protection and inter-agency working, including how to identify children and young people at risk of radicalisation, is updated every two years in accordance with government guidance
- 2.3.4 recognise the importance of the role of the designated teacher and ensure s/he has the time and training to undertake her/his duties and responsibilities;
- 2.3.5 ensure there are contingency arrangements should the designated member of staff not be available, and
- 2.3.6 that the designated member of staff will take advice from a safeguarding (child protection) specialist when managing complex cases.
- 2.3.7 report disclosure or suspicion of abuse to the appropriate agency within 24 hours. **(LADO- Mr Jim Foy DMBC - Tel: 01302 734747, Referral and Response Team – 01302 734100**

- 2.3.8 ensure that the school does nothing that may jeopardise a police investigation, such as ask leading questions or attempt to investigate the allegation.
- 2.3.9 understand that a child or children can abuse another child. Where there is a reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm from another child/children, the school will report its concerns to the local authority social care department. In the event of disclosures about pupil on pupil abuse, it is important that all children involved, whether perpetrator or victim, are treated as being "at risk". A victim will be supported through the school's pastoral system.
- 2.3.10 understand that, if, at any point, there is a risk of immediate serious harm to a child a referral should be made to children's social care immediately. Anybody can make a referral. If the child's situation does not appear to be improving the staff member with concerns should press for re-consideration. Concerns should always lead to help for the child at some point.
- 2.3.11 understand that care must be taken not to impose high thresholds for referrals either in policies or in practice.
- 2.3.12 understand the importance of children receiving the right help at the right time to address risks and prevent issues escalating, the importance of acting on and referring the early signs of abuse and neglect, keeping clear records, listening to views of the child, reassessing concerns when situations do not improve, sharing information quickly and challenging inaction.
- 2.3.13 ensure that there is a system in place to refer to Disclosure and Barring Service (DBS) if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have been if they had not resigned. The school acknowledges this is a legal duty and failure to refer when the criteria is met is a criminal offence.
- 2.3.14 ensure that any disclosure relating to children in need or at risk are referred to children's social care immediately

- 2.3.15 ensure that allegations against anyone working at school are referred to the LADO within one working day
- 2.3.16 operate an effective internet filtering system (Smoothwall) to protect pupils from accessing inappropriate material and organisations, including terrorist organisations.
- 2.3.17 ensure that there is a procedure in place to identify and respond to children who go missing, particularly on repeat occasions. Such instances should be reported to the local Prevent Officer at Doncaster LA, or to the South Yorkshire Police. Contact Details for reporting unexplained absence

**South Yorkshire Police:
In an emergency call 999
When it's a non-emergency call 101**

**Preventing Radicalisation:
Contact Details: 101 (the non-emergency police number) and
the DfE dedicated telephone helpline and
mailbox for non-emergency advice for staff
and governors : 020 7340 7264 and
counter-extremism@education.gsi.gov.uk).**

**Mr Jim Foy DMBC - Tel: 01302 734748,
Referral and Response Team – 01302
734100**

- 2.3.18 Understand that children can suffer 'hidden harm' that cannot be seen on a daily basis by school staff, normally by the parents or carer and the impact on the child if the parent carer is dependent of solvent or alcohol abuse.

2.4 The Role of Governors and All School Staff including Volunteers.

The school will ensure every member of staff, including Headmaster and part time staff, every governor and volunteer, receives a copy of Part 1 of KCSIE, the Staff Handbook and the Child Protection Policy, and knows:

- 2.4.1 the name of the designated person and her/his role and responsibility;
- 2.4.2 The contents of this policy, and the Staff Handbook

- 2.4.3 that they have an individual responsibility for referring safeguarding (child protection) concerns, and are able to do so to external agencies;
- 2.4.4 they will receive training at the point of their induction, and be updated every three years as a minimum, so that they know:
- their personal responsibility,
 - DSCB procedures,
 - the need to be vigilant in identifying cases of abuse,
 - how to support and to respond to a child who discloses significant harm;
- 2.4.5 their duty and are able to raise concerns about poor or unsafe practice in regard to children by a colleague and that such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed whistle blowing policy.
- 2.4.6 when receiving a disclosure, the importance of avoiding asking leading questions and explaining that confidentiality cannot be promised.

2.5 Liaison with Other Agencies

The school will:

- 2.5.1 work to develop effective links with relevant agencies and co-operate as required with their enquiries regarding safeguarding (child protection) matters including attendance and written reports at initial case conferences, core groups and child protection review conferences;
- 2.5.2 notify the allocated Social Worker if:
- a pupil on the child protection register has been excluded (whether fixed term or permanently);
 - there is an unexplained absence of a pupil on the child protection register of more than two days duration from school, or one day following a weekend, or as agreed as part of any child protection or core group plan.

- 2.5.3 notify the police immediately if a crime may have been committed:

South Yorkshire Police:

In an emergency call 999

When it's a non-emergency call 101

- 2.5.4 notify the Emergency Care Practitioner (ECP) immediately in the case of a head injury.

Telephone Number: 08448 706800

2.6 **Record Keeping**

The school will:

- 2.6.1 keep clear detailed written records of concerns about children (noting the date, event and action taken), even where there is no need to refer the matter to the Referral Response Service immediately;
- 2.6.2 ensure all records are kept secure and in a locked location separate from the child's personal file, and
- 2.6.3 ensure that during school residential visits, all staff will have received basis training in safeguarding children. In the event of a child protection issue arising the group leader will contact the designated person at the earliest opportunity.

2.7 **Confidentiality and information sharing**

The school will:

- 2.7.1 ensure confidentiality protocols are adhered to and information is shared appropriately if in doubt about confidentiality, staff will seek advice from a senior manager or outside agency as required;
- 2.7.2 via the Headmaster or Designated Teacher disclose any information about a pupil to other members of staff on a need to know basis only;
- 2.7.3 make all staff aware that they have a professional responsibility to share information with other agencies in order to safeguard children, and
- 2.7.4 all staff must be aware that they cannot promise a child confidentiality.
- 2.7.5 ensure that children are not asked leading questions.

2.8 Communication with Parents

The school will:

- 2.8.1 undertake appropriate discussion with parents prior to involvement of another agency unless the circumstances preclude this, and
- 2.8.2 ensure that parents have an understanding of the responsibility placed on the school and staff for safeguarding children.

3 SUPPORTING THE PUPIL AT RISK

The school will:

- 3.1 recognise that children who are abused or witness violence may find it difficult to develop a sense of self worth and to view the world as benevolent and meaningful and that it may have a detrimental effect on their well-being;
- 3.2 recognise that it may be the only safe, stable and secure environment in the lives of children at risk and that this may impact on their behaviour, which may be challenging and defiant, or they may become withdrawn;
- 3.3 recognise that some children actually adopt abusive behaviours and that these children must be referred on for appropriate support and intervention;
- 3.4 Endeavour to support the pupil through:
 - 3.4.1 its ethos which promotes a positive, supportive and secure environment and gives pupils a sense of being valued without apportioning blame;
 - 3.4.2 the behaviour policy which is aimed at supporting vulnerable pupils in the school - all staff will agree on a consistent approach, which focuses on the behaviour of the offence committed by the child but does not damage the pupil's sense of self worth;
 - 3.4.3 liaison with other appropriate agencies, which support the pupil;
 - 3.4.4 a commitment to develop supportive relationships with parents/carers whenever it is in a pupil's best interest to do so;

3.4.5 recognition that children living in a home environment where there is domestic violence, drug or alcohol abuse are vulnerable and in need of support and protection, and

3.5 When a pupil on the child protection register transfers to another school, information will be transferred to the new school immediately.

3.6 **Children with Special Educational Needs**

The school recognise that statistically children with behavioural difficulties and disabilities are most vulnerable to abuse. School staff who deal with children with profound and multiple disabilities, cerebral palsy, sensory impairment and or emotional and behaviour problems are particularly sensitive to signs of abuse.

3.7 **Drug Use and Child Protection**

3.7.1 The discovery that a young person is using illegal drugs or reported evidence of their drug use is not necessarily sufficient in itself to initiate child protection proceedings, but the school will consider such action in the following situations.

When there is evidence or reasonable cause:

- to believe the young person's drug misuse may cause him or her to be vulnerable to abuse;
- to believe the pupil's drug related behaviour is placing them at significant risk, or
- where the misuse is suspected of being prompted by serious parent/carers drug misuse.

3.8 **Children of Drug Using Parents**

3.8.1 Further enquiries will be made when the school receives reliable information about drug and alcohol abuse by a child's parents/carers in the following circumstances:

- the parental misuse is regarded as problematic, leading to a chaotic and unpredictable home environment
- children are not being provided with acceptable or consistent levels of social and health care, or
- children are exposed to criminal behaviour.

PREVENTING UNSUITABLE PEOPLE FROM WORKING WITH CHILDREN

- 4.1 The school will operate safe recruitment practices including ensuring appropriate DBS checks are made, compliance with Independent Schools Standards Regulations is made, and reference checks are undertaken according to Circular DfES/0278/2002 Child Protection: Preventing Unsuitable People from Working with Children and Young People in the Education Service, Safeguarding Children and Safer Recruitment in Education (October 2013), and Working Together to Safeguard Children (March 2015) (WT)
- 4.2 The school will consult with the designated Local Authority Designated Officer (LADO) Safeguarding in the event of an allegation being made against a member of staff and adhere to the relevant procedures in accordance with Government guidance set out in Working Together to Safeguard Children (2015).
- 4.3 The school will ensure that any disciplinary proceedings against staff relating to child protection matters are concluded in full in accordance with Government guidance 'Dealing with Allegations of abuse' (October 2012)
- 4.4 The school will ensure that all staff and volunteers are aware of the need for maintaining appropriate and professional boundaries in their relationships with pupils and parents.
- 4.5 The school will ensure that staff and volunteers are aware that sexual relationships with pupils aged under 18 are unlawful and could result in legal proceedings taken against them under the Sexual Offences Act 2003 (Abuse of position of trust).
- 4.6 The school will ensure that it will report to the Disclosure and Barring Service within one month of leaving the school any person whose services are no longer used because he or she is considered to have caused harm or posed a risk of harm to a child. This includes employees, volunteers, supply workers, contractors, student teachers, etc. The school is aware that compromise agreements cannot apply in this connection.
- 4.7 The school understands that not to make a report to DBS (4.6) constitutes an offence. Knowingly employing a member of staff or taking on a volunteer who is barred is also an offence, as is failure to respond to a request from DBS for information held by the school. (Vetting and Barring Scheme 2009) Compromise agreements cannot apply in this connection, or where the individual refuses to cooperate with an investigation.

- 4.8 The school will consider making a referral to the National College for Teaching and Leadership (NCTL) where a teacher has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be appropriate. The reasons such an order would be considered are: "unacceptable professional conduct", "conduct that may bring the profession into disrepute" or a "conviction, at any time, for a relevant offence"
- 4.9 All visiting speakers will be fully supervised by a member of staff at all times, and the content of all addresses will be examined in advance by the school. In the event of any disagreement between the school and the speaker, the address will not take place.

5 OTHER RELATED POLICIES

5.1 Physical Intervention

Our policy on physical intervention by staff is set out in a separate document and is reviewed annually by the governing body. We acknowledge that staff must only ever use physical intervention as a last resort, and that at all times it must be the minimum force necessary to prevent injury to themselves, another person or property.

5.2 Anti Bullying

Our policy on bullying is set out in a separate document and is reviewed annually by the governing body. We acknowledge that to allow or condone bullying may lead to consideration under child protection procedures.

5.3 Racist Incidents

Our policy on racist incidents is set out in a separate document and is reviewed annually by the governing body. We acknowledge that repeated racist incidents or a single serious incident may lead to consideration under child protection procedures.

5.4 Health & Safety

Our Health & Safety policy is set out in a separate document, and is reviewed annually by the governing body. It reflects the consideration we give to the protection of our children both within the school environment and when away from the school undertaking school trips and visits.

5.5 **Pupil Welfare**

Our pupil welfare policy is set out in a separate document, and is reviewed annually by the governing body. It reflects the consideration we give to the pastoral care and welfare of our children.

6 GOVERNING BODY SAFEGUARDING RESPONSIBILITIES.

- 6.1 The governing body fully recognises its responsibilities with regard to child protection and to safeguarding and promoting the welfare of children in accordance with Section 175 of the Education Act 2002 and Government guidance Working Together to Safeguard Children 2015' & 'Keeping Children Safe in Education 2015' which state that the Governing Body should ensure the school:
- 6.1.1 has a child protection policy and procedures in place;
 - 6.1.2 operates safer recruitment procedures (Policy for Safer Recruitment) and makes sure that all appropriate checks are carried out on new staff and volunteers;
 - 6.1.3 has procedures for dealing with allegations of abuse against members of staff and volunteers;
 - 6.1.4 has a senior member of the school's leadership team who is designated to take lead responsibility for dealing with child protection issues;
 - 6.1.5 remedies any deficiencies or weaknesses in regard to child protection arrangements;
 - 6.1.6 has a member of the Governing Body, **Mrs Elizabeth Paver, (01320 776300)** nominated to be responsible for safeguarding, and for liaising with the Local Authority and/or partner agencies in the event of allegations of abuse being made against the Head Teacher, and
 - 6.1.7 reviews its child protection policies and procedures annually, and the efficiency with which its duties have been discharged, and provides information to the Local Authority about them, if requested.
 - 6.1.8 informs ISI/Ofsted, within 14 days, if a teacher leaves the school with cause for concern.
 - 6.1.9 considers how children may be taught about safeguarding and radicalisation through PSHE etc
 - 6.1.10 ensure staff have the skills, knowledge and understanding necessary to keep safe any children who are looked after by a local authority.

7. Safeguarding within Early Years Foundation Stage

This policy applies to EYFS

Mr Jonathan Hall takes lead responsibility for safeguarding children within the EYFS setting and liaising with local statutory children's agencies as appropriate.

The School will inform OFSTED of any allegations of serious harm or abuse by any person working or looking after children at the premises (whether that allegation relates to harm or abuse committed on the premises or elsewhere), or any other abuse which is alleged to have taken place on the premises, and of the action taken in respect of these allegations.

The School will inform OFSTED of the above as soon as is reasonably practicable, but at the latest within 14 days.

The school has several cameras which are the only cameras to be used in the setting. All printing of photographs from these cameras takes place at school.

Staff Mobile Telephones

Any mobile telephone belonging to a member of staff must be either turned off or on fully silent mode during the working day. This includes lessons, activities, games, duties, and around corridors and playgrounds. If a member of staff needs to use a mobile telephone, he/she should do so only in the staff common room or in an office, in free time.

If there is an occasion when a member of staff needs to be contacted urgently, he/she should give the main school number, so that the office can assist. If this is not appropriate, guidance should be sought from a member of SMT.

PE staff and others leading out of school activities must ensure that telephones are ON when OFF SITE.

Staff mobile telephones must on no account be used as cameras when in school or on school business.

'Sexting'

The school seeks to educate pupils about the dangers and legal implications of sexting. Victims of sexting will be supported through the school's pastoral system, perpetrators will be addressed through the school's disciplinary system.

8. Types of abuse and neglect

Abuse: a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults or another child or children.

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

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

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

Neglect: the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. 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); or ensure

access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Specific safeguarding issues

- child sexual exploitation (CSE) – see also below
- bullying including cyberbullying
- domestic violence
- drugs
- fabricated or induced illness
- faith abuse
- female genital mutilation (FGM) – see also below
- breast ironing –see also below
- forced marriage
- gangs and youth violence
- gender-based violence/violence against women and girls (VAWG)
- mental health
- private fostering
- radicalisation
- sexting
- teenage relationship abuse
- trafficking
- forced marriage
- (so-called) honour based violence

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

Female Genital Mutilation (FGM): professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. There is a range of potential indicators that a child or young person may be at risk of FGM, which individually may not indicate risk but if there are two or more indicators present this could signal a risk to the child or young person. Victims of FGM are likely to come from a community that is known to practise FGM. Professionals should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject. Warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 11-12 of the Multi-Agency

Practice Guidelines referred to previously. Staff should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care.

Contact Details for mandatory reporting of FGM/Breast Ironing

South Yorkshire Police:

In an emergency call 999

When it's a non-emergency call 101

Preventing Radicalisation

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

The Counter-Terrorism and Security Act 2015 will also place a duty on local authorities to ensure Channel panels are in place. The panel must include the local authority and chief officer of the local police. Panels will assess the extent to which identified individuals are vulnerable to being drawn into terrorism, following a referral from the police and where considered appropriate and necessary consent is obtained, arrange for support to be provided to those individuals. The Act will require partners of Channel panels to co-operate with the panel in the carrying out of its functions and with the police in undertaking the initial assessment as to whether a referral is appropriate. Schools and colleges which are required to have regard to Keeping Children Safe in Education are listed in the Act as partners of the panel. The relevant provisions of the Act will come into force on 12 April 2015 but many local authorities already have Channel panels set up in their area.

The following steps are taken to prevent Extremism and Radicalisation:

- The Promotion of British Values.
- Awareness of pupils visiting countries at risk of extremism.
- Questioning and reporting as appropriate unexplained absences.
- Training for the Designated Safeguarding Lead on the Prevent Duty.
- Training of the whole staff by Designated Safeguarding Lead on the Prevent Duty.
- Teachers must report any behaviour or comments which could indicate extremism and radicalisation to the Designated Safeguarding Lead
- Awareness of the increased risk of online radicalisation, as terrorist organisations such as ISIL seek to radicalise young people through the use of social media and the internet.

- Keeping children safe from risks posed by terrorist exploitation of social media, should be approached in the same way as safeguarding children from any other online abuse.

Contact Details: 101 (the non-emergency police number) and the DfE dedicated telephone helpline and mailbox for non-emergency advice for staff and governors : 020 7340 7264 and counter-extremism@education.gsi.gov.uk).

Children Running Away or Missing

Staff are aware:

- Children may run away from a problem such as abuse or neglect at home or to somewhere they want to be.
- Children may have been coerced to run away by someone else.
- There are particular concerns about links between children running away and the risks of sexual exploitation.
- Missing children may also be vulnerable to other forms of exploitation, to violent crime, gang exploitation, or to drug and alcohol abuse.
- The communication difficulties of our children make them even more vulnerable as they may have limited understanding of risks posed by others.

The school's Missing Children Policy should be used when a child goes missing from school. Any such behaviour is to be reported to the Headmaster/Head of Juniors, who will judge if referral to the Child Protection Officer is appropriate.

If a child goes missing from home, the Child Protection Officer will brief the LADO.

9. Signs of Abuse

PHYSICAL ABUSE:

Physical Signs:

All children have accidents and may have bruises from time to time. The child or his or her parents will usually tell you how the injuries occurred and what happened. However, if they do not tell you or do not give you an adequate explanation of what happened, you need to consider whether the injuries are a possible sign of physical abuse. Sometimes a child can be physically abused without easily identifiable signs of injury, e.g. babies who have been shaken, so it is important to act on concerns so professional assessments can be made.

Injuries not adequately explained including:

- Fractures, bruises, burns, bite marks, slap marks, implement marks e.g. belt mark.
- Grip marks - may indicate shaking
- Slap marks - cheeks, buttocks, limbs (may leave a hand imprint)
- Soft tissue marks
- Long marks
- Symmetrical bruising
- Bruising in unusual places e.g. bruises on ears
- Teeth / bite marks
- Burns with outline, e.g. outline of an iron
- Cigarette burns
- Fractures or other injuries
- Injuries which haven't been treated properly and there is delay in seeking medical attention
- Any injury to a child who isn't mobile e.g. baby under 1 year, disabled child

Behavioural Signs:

- Child appears frightened of others e.g. parent(s) or carer(s)
- Child doesn't want to go home, or runs away
- Child flinches when approached or when someone stretches a hand towards them
- Child reluctant to get undressed e.g. for games or sport activity
- Child very passive or very aggressive
- Frozen watchfulness - child sits very still watching what's going on (waiting for the next hit)
- Equally could appear overly "happy" and "eager to please"

SEXUAL ABUSE:

Physical Signs:

- Repeated, inappropriate, masturbation
- Presence of sexually transmitted disease
- Young children with age inappropriate sexual knowledge, e.g. penetration, ejaculation, oral sex
- Explicit sexual drawings
- Pain, soreness or itching in the genital or anal areas or mouth
- Recurrent genital or urinary infections.
- Pregnancy

Behavioural Signs:

- Disclosure from a child (to another child or an adult)
- Young children acting out sexual behaviours, e.g. simulating intercourse, grabbing genitalia etc
- Young children displaying sexually inappropriate knowledge or behaviour
- Persistent bedwetting, nightmares and sleep problems
- Anorexia, bulimia, self harm or excessive 'comforting' eating
- Fear of a specific person
- Running away from home
- Substance abuse
- Child having unexplained gifts, including money
- Children having 'secrets' that an adult says they are not allowed to tell
- Secrecy around internet use and webcams etc.

NEGLECT:

Physical Signs:

- Looks excessively thin or ill
- Well below average weight and height, failure to thrive,
- Recent unexplained weight loss.
- Complains of hunger; lack of energy
- Untreated conditions/injuries
- Repeated accidents, especially burns
- Left home alone inappropriately
- Repeatedly unwashed, smelly or dressed inappropriately for the weather
- Supervision/carers inappropriate (e.g 8 year old looking after other children)
- Badly decayed teeth
- Unhygienic and/or unsanitary living conditions

Behavioural Signs:

- Poor level of concentration
- Constantly hungry or 'stealing' food from others/from bins
- Not keeping Doctor or Hospital appointments
- Frequently not at school or persistent lateness
- Reluctant to go home from school
- Delayed speech development

EMOTIONAL ABUSE:

Physical Signs:

- Physical, mental and emotional developmental delay / late developer with no obvious medical reason
- Sudden onset speech disorders, e.g suddenly developing a stammer

Behavioural Signs:

- Acceptance of punishment which seems excessive
- Over-reaction to mistakes
- Continual self deprecation
- Excessive fear of new situations
- Inappropriate emotional response to painful stimuli
- Excessive behaviours, e.g. rocking, head banging, pulling own hair out
- Self harm and/or eating disorders
- Compulsive stealing/scavenging
- Excessively sad, depressed, withdrawn,
- Low self esteem
- Very poor relationship with parent/carer

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Contact Details

Doncaster Referral Response team	01302 737777
Doncaster Professional referral response	01302 737033, 01302 737722, 01302 737636
Doncaster out of hours referral	01302 796000
Lado (Jim Foy)	01302 737748
Doncaster CAHMS referrals	01302 304070
Hill House area (South) advisor for all cases-	01709 77099, 07717320478 Lindsey.swaine.doncaster.gov
North advisor- Natasha Abbott	01302 8007600 07738888218
Central advisor-Emma McDonagh	01302 761755 07768865107
East advisor- Christian Brownless	01302 849088 07810153716
CYPO (Children Young Person Officer)- Carol Wood Referral for extremism	T: 01302 385473 (Ext. 745473) M: 07557254874 Carol.Wood@southyorks.pnn.police.uk
Doncaster Safeguarding Children Board	01302 734747



HILL HOUSE SCHOOL

POLICY AND PROCEDURES FOR WHISTLEBLOWING

1. Policy statement

Hill House is committed to achieving and maintaining high standards with regards to services to our parents and pupils and in all our working practices. All members of staff are expected to conduct themselves with integrity, impartiality and honesty.

We seek to develop a culture that encourages the challenge of inappropriate behaviour at all levels. To achieve this aim Hill House encourages workers to report genuine concerns about malpractice, illegal acts or failure to comply with recognised policies and procedures, without fear of reprisal or victimisation.

Hill House will not tolerate harassment or victimisation of a genuine whistle blower and will treat such conduct as gross misconduct, which, if proven, may result in dismissal.

2. What is whistle blowing?

This policy is designed to deal with concerns raised in relation to specific issues, where an employee believes that one or more of the following has taken place, is happening now or may occur in the future.

- A criminal offence;
- A failure to comply with a legal obligation, statutory requirement or school policies and procedures;
- A danger to the health and safety of an individual or the school as a whole;
- A deliberate concealment of information showing any of the above.

There are other policies which cover complaints regarding disciplinary procedures, grievance and equal opportunities and the relevant policy should be followed where appropriate.

Whistle Blowing Procedures

You should first raise your concern with your line manager. If for any reason you find this difficult you should report the matter to the Head of Sector, the Headmaster or the Chair of the Board of Governors.

It is desirable that information should be given in writing. If the information is verbal this should be recorded and a copy given to the person raising the concern. The person should sign the record as an accurate account of the details provided.

A written record will be kept by the person receiving the information. This should include how the matter was dealt and details of any further communication with the person reporting the concern.

Once the matter is reported it will be investigated to assess what substance it has. This may involve an internal inquiry or a more formal investigation depending on the seriousness of the matter involved.

The member of staff against whom the concern is raised will be informed at the earliest opportunity and be given the opportunity to respond.

Procedures from other relevant policies may come into force at this stage.

An official written record will be kept at all stages of the investigation.

If the person raising the concern wishes, feedback regarding the outcome of the investigation may be given. However information on specific actions will remain confidential.

Following an investigation, if the concerns raised are found to be false or made maliciously, disciplinary action may be taken and may be treated as gross misconduct.

September 2016



HILL HOUSE SCHOOL

Policy for Safer Recruitment

Policy Statement

Hill House is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

Planning and advertising

Plan advert and prepare recruitment package, to include: application form, job description, information/guidance, up to date school information.

All information must give explicit information regarding contact and responsibility for children.

All job advertisements and recruitment paperwork and all other promotional literature, including the website, will include the policy statement above.

A timetable should be drawn up to allow adequate time for applications, short listing and references to be received **prior** to interview.

The Application Form

The application form includes sections regarding: disability, medical declaration, mental and physical fitness check, verification of the person's right to work in UK

Full written details are required of previous employment history which will then be examined at interview stage.

Two referees are requested, with the notice that any previous employer may be contacted.

Scrutinising and Short listing

All applications should be scrutinised to check they have been properly completed with **all** areas completed and any gaps identified and verified at interview if appropriate.

When short listing is completed the short listed applicants will be contacted and invited for interview, with request for confirmation of ID and all relevant qualifications to be brought to the interview.

Letters will be sent to all relevant Referees in time for the interview. If no written reference received in time this will be followed up by a telephone call. The candidate's current or last employer, if unemployed, must be one of the referees. Referees will also be telephoned where necessary for clarification or comment. If the candidate is not currently working at a school, the last school will be contacted to confirm employment details and reasons for leaving.

In the event of delay all references will be scrutinised prior to appointment and any concerns addressed prior to appointment.

Reference requests should cover a range of specific verifiable questions.

A teaching applicant will be asked to teach a lesson to observe interaction with pupils and quality of teaching.

The interview

All interviews will be face to face, even if there is only one candidate. All interviews will be conducted by at least 2 panel members, made up of personnel with the authority to decide to appoint. At least one panel member should have been trained in safer recruitment.

Prior to interview the panel will agree assessment criteria and a list of questions to be addressed to all candidates. Questions should be based on candidates' information and competence based questions. Additional questions to individual candidates will be dependent on their responses and on any issues arising from the application.

The panel should explore attitude towards children, ability to support the school's safeguarding policy, gaps in employment and the opportunity to declare any information relevant to DBS checks.

On arrival the candidate's ID, including proof of name, address and date of birth, and relevant qualifications will be photocopied by the office staff.

In the case of a successful candidate having worked overseas, the school will make appropriate further background checks as appropriate, having regard to any guidance issued by the Secretary of State.

Making an Offer

An offer of employment will be made to the successful candidate. This offer will be conditional on:

- two satisfactory references;

- identity verification;
- enhanced DBS Barring list/enhanced DBS check
- prohibition from management check
- prohibition from teaching order check
- disqualification by association check.
- verification of fitness;
- verification of qualifications;
- the induction process etc commences after all checks completed.

Records

Applicants who are not shortlisted receive an e-mail/letter advising them of this and thanking them for their interest.

Applicants interviewed but who are unsuccessful receive an individual letter/e-mail; their application forms are retained in case of need.

The successful applicant receives an offer letter and begins the DBS process. The offer letter makes it clear that the appointment cannot be confirmed until satisfactory checks have been completed.

The School uses the DBS Update Service, and holds a Single Central Register. (SCR)

Staff employed by other organisations

Hill House seeks assurances and evidence where applicable from organisations whose staff work with the school (e.g residential centres, work experience, teacher training colleges, ISI etc) that appropriate child protection checks and procedures apply to any staff employed by that organisation and working with the school's pupils at Hill House or on another site.

Host Families etc

The school is aware that when arrangements are made for children to have learning experiences where, for short period of time, they child may be provided with care and accommodation by host family to which they are not related (foreign exchange, sports tours) these arrangements could amount to "private fostering" under the children Act 1989 or the Safeguarding Vulnerable Groups Act 2006.

Governors

Members of the Board of Governors also undertake appropriate checks prior to service, including identity, right to work and DBS checks. The Chair will be subject to checks by the secretary of state.

Existing Members of Staff

If a school or college has concerns about an existing staff member's suitability to work with children, the school should carry out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the school moves from a post that was not regulated activity, into work which is regulated activity, the relevant checks for the regulated activity must be carried out.

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HILL HOUSE SCHOOL

Recruitment of Staff from Employment Agencies

Before a member of staff from an employment agency commences work, the school must have written notice from the agency:

- that the relevant statutory checks have been made;
- that an enhanced DBS check has been obtained, or an enhanced DBS certificate has been obtained in response to an enhanced DBS check by that or another employment business.
- that such a certificate should have been obtained not more than three months before the person is due to begin work at the school; or the person already had an enhanced DBS check from working in a school or FE institution not more than three months previously.
- whether such a DBS certificate disclosed any matter or information in accordance with section 113B(6) of the Police Act 1997. In such a case, the agency must supply a copy of the DBS certificate.

Before beginning work at the school, the person offered for supply by an employment business must be subject to an identity check by the school.

In the contract or other arrangement with the supply business, the school must require the business to provide notification of the above, and a copy of the DBS certificate.

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HILL HOUSE SCHOOL

STAFF/VOLUNTEER FACING AN ALLEGATION OF ABUSE

This Policy will be used when a member of staff or volunteer has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child.
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children.

1. GUIDELINES FOR ALL SCHOOLS

1.1 These guidelines have been agreed and are promulgated by representatives of the local education authorities and the six teacher organisations in England and Wales. The guidelines are intended to inform the review of existing local education authority (LEA) procedures or to assist in developing procedures where there are no agreed procedures. Procedures should be drawn up locally. The Local Children Safeguarding Board's (LCSB) or Doncaster Safeguarding Children Board's task is to establish local inter-agency guidelines on child protection procedures, and the signatories to this document recommend that local LEA procedures (which are the subject of these guidelines) should be agreed with the LCSB/DSCB.

1.2 Although the guidelines refer throughout to LEAs in their capacity as employers of head teachers, teachers, and support staff and to governing bodies of schools with delegated budgets where relevant, the guidelines may be applied to the full range of educational establishments,

however maintained, as well as to education staff in social service establishments. Where there are references to an LEA as employer or governing body as employer, these may be taken to be references to employers in voluntary-aided schools, non-maintained special schools, foundation schools, sixth form colleges, further education colleges, community homes (either social service departments or voluntary organisations), city technology colleges or independent schools as appropriate.

- 1.3 The guidelines have been designed to apply to all staff and volunteers in schools and other establishments. Appropriate references are made to recognise the distinctive arrangements for head teachers. Local reviews will need to clarify any particular arrangements for groups such as non-school based staff and short notice teachers.

2. **DEFINITIONS**

2.1 **DESIGNATED TEACHER**

A senior member of the teaching staff of a school with specific responsibility for co-ordinating action within the school and for liaising with social services departments and other agencies over suspected child abuse. It may be appropriate for another senior teacher to be named as the alternate to the head teacher if he/she is the designated teacher. **Keeping Children Safe in Education 2015** and **Working Together to Safeguard Children (March 2015) (WT)** provide advice on what should happen if somebody has a concern about the welfare of a child together with concerns that a child may be suffering, or at risk of suffering, abuse or neglect. It is not intended as a detailed practice guide, but it sets out clear expectations about the ways in which agencies and professionals should work together in the interests of

children's safety and well-being. The guidance is directly applicable to education services.

2.2 **NOMINATED GOVERNOR**

This should be the chair of governors, Mrs Elizabeth Paver, (01302 776300) or, in the absence of the chair, the vice/deputy chair. This person will be responsible for liaising with the Head teacher/designated teacher at the school over matters regarding child protection issues to ensure that they are consistent with Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board procedures. Ideally this role would involve:-

- (a) ensuring, in liaison with the Head teacher/designated teacher, that the school has a child protection policy and procedures in place; which are consistent with ACPC procedures;
- (b) ensuring that an annual item is placed on the governors' agenda to report on changes to child protection policy/procedures, training undertaken by the designated teacher, other staff and governors, the number of incidents/cases (without details or names) and the place of child protection issues in the school curriculum;
- (c) liaison (with due regard to issues of confidentiality) with the Head teacher/designated teacher re allegations of child abuse;
- (d) responsibility for the oversight of procedures relating to liaison with the Education Department, Social Services Departments and the Police in relation to any allegations of child abuse made against the Head

teacher, including possible involvement in multi-agency strategy discussions; (NB: The nominated governor will have no direct role in undertaking child protection enquiries or criminal or disciplinary investigations or investigation of an allegation against the Head teacher. He/she will be a liaison person ensuring good communication between all parties and provide information to assist any such enquiries or investigation).

- (e) attendance at training for nominated governors.

2.3 **DESIGNATED LEA LEAD OFFICER**

Every LEA should nominate a senior officer within the LEA as lead officer with responsibility for co-ordinating Education Service policy and action on child protection for schools it maintains (in larger LEAs this may be more than one officer). The lead officer, who should represent education services to the with Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board, will be involved in establishing local procedures, including arrangements for designated teachers, and will be the LEA point of contact with police, social services and other agencies. This officer would also be responsible for liaising with maintained schools on child protection matters. Other educational establishments should seek advice from their Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board and/or Social Services Department. The lead officer will also be the main contact for the investigation and referral support co-ordinators (supported by DfES funding in England).

3. **INTRODUCTION**

3.1 All those working in the education services can contribute to the safeguarding of children and child protection services. All schools and colleges can play a part in the prevention of abuse and neglect, through their own policies and procedures for safeguarding children, and through the curriculum. All schools and colleges should create and maintain a safe environment for children and young people. Children can be helped to understand what is and is not acceptable behaviour towards them and taught about staying safe from harm, and how to speak up if they have worries or concerns. Through their day-to-day contact with children, education staff has a crucial role to play in noticing indicators of possible abuse or neglect and in referring concerns to the designated teacher. When a child has special educational needs, or is disabled, schools will have important information about the child's level of understanding and most effective means of communicating with the child. Where education staff have such interaction with children, the opportunity to abuse them also exists. It is regrettably the case that, in rare instances, education staff have been found to be responsible for child abuse. Given their daily contact with children in a variety of situations, including the wider caring role, staff are vulnerable to accusations of abuse. Their relationships with pupils may lead to allegations against them being made by pupils or parents¹. Those allegations may be false, malicious or misplaced and may be either deliberate or innocent of such intent. Regardless of the motives underlying any allegations, they may also be well-founded. Schools and colleges therefore need policies and procedures on the management of situations where there are allegations of abuse.

¹ Where there are references to parents these should also be taken to be references to persons having parental responsibility.

- 3.2 It is imperative that everyone who deals with allegations of abuse maintains an open and enquiring mind. It is also essential that if an allegation is made against a teacher all unnecessary delays should be eradicated. All the agencies concerned should act in a manner and at a speed commensurate with the nature and level of the concern once suspicions are brought to their attention. The police have a duty to investigate criminal offences committed against children and such investigations should be carried out sensitively, thoroughly and professionally.
- 3.3 In the same way, an over-hasty or ill-judged decision immediately to suspend a member of staff when an allegation of abuse is made, can have a substantial, detrimental effect upon the person's career. There may be other options to suspension (see Paragraph 14.2). Suspension is not only a traumatic experience for the individual involved, but also for their family, for other children at the school, their parents and for other staff. All concerned will wish to be reassured that the responsible agencies will act in a careful, measured way when allegations of abuse are brought to their attention.
- 3.4 Media attention during an investigation of an allegation can add to the problems for the member of staff and may even hinder an investigation. Early contact with the LEA for advice and support for dealing with media inquiries is strongly advised. Regrettably, it is often the case that the media become aware of allegations through parents or pupils. Any briefings to staff and governors will emphasise the need to avoid media coverage. Staff have the protection from the Human Rights Act 2000 to protect 'privacy'. Advising the member of staff of any early indications of media coverage will be essential.

- 3.5 Parents and carers should 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 (see paragraph 125). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice. Parents publishing details on social networking sites is in breach of reporting restrictions.

4. **USING THESE GUIDELINES**

ACPCs and social services departments have wide responsibilities in disseminating information on local child protection procedures.

- 4.1 Local procedures should be informed by these guidelines, which are intended to be complementary and supplementary to the guidance contained in "Working Together to Safeguard Children" and to local with Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board procedures. These guidelines are designed to be consistent with principles of natural justice.
- 4.2 The LEA should ensure effective means of disseminating information about child protection procedures to head teachers, to the designated teacher within schools with responsibility for child abuse matters and to governing bodies. Head teachers, designated teachers and chairs of governors are advised to be familiar with the provisions of "Working Together to Safeguard Children", with Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board child protection procedures and the education authorities' procedures which draw upon these guidelines.

- 4.3 In addition, in the case of schools maintained by LEAs, the LEA will ensure effective means of disseminating information on relevant provisions of local education procedures to ensure that all staff and governing bodies are familiar with those provisions. Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board and social services departments have wider responsibilities in disseminating information on local child protection procedures in respect of all schools and other educational establishments.

5. **LISTENING TO CHILDREN**

- 5.1 Children who report to a teacher (or other member of staff) that a member of education staff has abused them must be listened to and heard, whatever form their attempts to communicate their worries take. The following points give guidance on how to deal with a child who makes an allegation:
- The child should be listened to but not interviewed or asked to repeat the account. Avoid questions, particularly leading questions.
 - The child should not be interrupted when recalling significant events.
 - All information should be noted carefully, including details such as timing, setting, who was present and what was said, in the child's own words. The account should be obtained verbatim or as near as possible.
 - Care should be taken not to make assumptions about what the child is saying or to make interpretations.
 - Listened to means just that; on no account should suggestions be made to children as to alternative explanations for their worries.

- The written record of the allegations should be signed and dated by the person who received them as soon as practicable.
- All actions subsequently taken should be recorded.

5.2 A member of staff must not promise confidentiality to a pupil who makes an allegation. In responding to a child who makes disclosures, account should be taken of the age and understanding of the child and whether the child or others may be at risk of significant harm. While acknowledging the need to create an environment conducive to speaking freely, the member of staff should make it clear to a pupil who approaches him/her asking for confidentiality that, he/she will need to pass on what has been told so as to ensure the protection of the child(ren), in accordance with the local procedures agreed by the Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board. Within that context, the child should then be assured that the matter will be disclosed only to people who need to know about it. The support needs of a child who express concerns about significant harm should be considered and met, utilising resources within and/or beyond the school as necessary.

The principles and issues implicit in this paragraph should have been discussed at the local level by the head teacher and designated teacher with the LEA lead officer and Social Services Department.

5.3 Local child protection procedures should be used for any allegations against adults not employed in the school as well as for allegations against third parties with no involvement with the school.

6. **ACTION TAKEN BY A MEMBER OF STAFF WHO HEARS AN ALLEGATION**

- 6.1 The member of staff receiving the allegation of abuse against another member of staff or volunteer should, following the considerations of 5.2 above, report this immediately to the Headmaster, unless the Headmaster is the person against whom the allegation is made; if the Headmaster is away, the allegation should be passed to the Chair of Governors. The allegation should also be referred to the Designated Teacher, unless she is the object of the allegation. If the Designated Teacher is the subject of the allegation, the allegation should be referred to the Headmaster. An allegation against the head should be reported to the designated teacher, who will inform the Chair of Governors without notifying the Headmaster. Certain cases will need urgent action and require immediate referral under local child protection procedures, as detailed in 7.2 below. In case of serious harm, the police should be informed from the outset.
- 6.2 Immediately an allegation is made, as well as consulting the LADO (**Mr Jim Foy DMBC, Tel: 01302 734747/8**), the Headmaster (or, in cases where the allegation is against the Headmaster, the nominated governor) should:-
- (a) obtain written details of the allegation, signed and dated from the person who received the allegation (not from the child who made and/or was the subject of the allegation) and countersigned and dated by the Headmaster (or designated teacher or nominated governor where the allegation is against the head teacher); Schools must not undertake their own investigations of allegations without prior consultation with the local authority designated officer (LADO), or in the most serious cases, the police, so as not to

jeopardise statutory investigations. In borderline cases, discussions with the LADO can be held informally and without naming the school or individual

- (b) record any information about times, dates, locations and names of potential witnesses.

7. URGENT INITIAL ASSESSMENT OF AN ALLEGATION

7.1 Where an allegation (anonymous or otherwise) is made against a member of staff, there should be urgent consultation by the Headmaster with the LADO as to how to take the matter forward. Such consultation, and communication with the individual and parents agreed, should be minuted. Where the allegation is against the head teacher, this consultation will be between the nominated governor and LADO. All such contact must be made within 24 hours. The school will share all relevant information with the agencies involved.

7.2 If a child makes an allegation that is considered to be a potential criminal act, or indicates that s/he has suffered, is suffering or is likely to suffer significant harm, then there will be an immediate referral in accordance with the local child protection procedures established by the Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board. If there is any doubt of these matters, then guidance/clarification can be sought from the LEA lead officer. The school should do nothing that may jeopardise a potential police investigation, such as ask leading questions or attempt to investigate the allegation.

7.3 Procedures need to be applied with common sense and judgement. There will be instances where allegations made do not appear to require referral under local child protection procedures detailed above. The LADO should be consulted if there are any doubts. Those instances are as follows:

- (i) Where the allegation relates to the use of reasonable force to restrain a pupil, in accordance with DFE Circular 'The Use of Reasonable Force,' Advice for head teachers, staff and governing bodies. Section 93 Education and Inspections Act 2006 issued following the enactment of Section 550A of the 1996 Education Act., it will be appropriate for the head teacher to deal with the matter at school level. An allegation of assault beyond the use of reasonable force would however need to be dealt with in accordance with the local child protection procedures as detailed above.
- (ii) Where following initial consideration it is absolutely clear to the LEA lead officer and the head teacher (or where the allegation involved the head teacher, the nominated governor) that the allegation is demonstrably false by virtue of the fact that the immediate circumstances of the allegation show that it would not be possible for the allegation to be true, then again the matter can be dealt with at school level. However, in these circumstances, it should be borne in mind that if a child has made an obviously false allegation, this may well be a strong indicator of abuse elsewhere which requires further exploration. The best way for this to be achieved is through an inter-agency referral in order that any underlying causes can be teased out.
- (iii) The allegation may represent inappropriate behaviour or poor practice by a member of staff which needs to be considered under local disciplinary procedures (see paragraph 9.1 and 19.2).

7.4 Therefore, when such allegations are made, there are four possible outcomes of the initial assessment:

- (i) Where the pupil has suffered, is suffering, or is likely to suffer significant harm, there should be an immediate referral under local child protection procedures established by the Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board. The Police should be informed from the outset.
- (ii) Where the child has alleged that a criminal offence has been committed, then again this will be referred under local child protection procedures and the police may carry out a criminal investigation. However, this is subject to paragraphs 7.3(i) and 7.3(ii) above where the matter can be dealt with at school level.
- (iii) The allegation may represent inappropriate behaviour or poor practice by a member of staff (which does not fall within the above categories) that needs to be considered under local disciplinary procedures (see paragraph 9.1 and 19.2).
- (iv) That the allegation is apparently without foundation, as detailed in paragraph 7.3 (ii) above (then see section 13).

8. **THE REFERRAL PROCESS**

8.1 The immediate priority must be to determine whether a child(ren) has/have suffered or is/are at risk of significant harm and/or in need of protection. If this appears to be the case there should be an immediate referral to local child protection agencies in accordance with the agreed procedures established by the Local Children Safeguarding Boards

(LCSB) or Doncaster Safeguarding Children Board. There is no requirement for parental consent. The responsibility for that lies with the LEA lead officer.

- 8.2 Where allegations of abuse are referred to the Social Service Department or the police, subsequent action will be in accordance with the local child protection procedures. Early action to establish the nature of the allegation and consideration of whether it should be investigated should be undertaken in such a way that it does not prejudice any subsequent action. There must be no interference with evidence e.g. education staff or governors should not attempt to interview children about these matters.
- 8.3 In cases where it is not immediately obvious that the child has suffered significant harm it is still important to act quickly. It is also important to recognise that establishing whether an allegation warrants further investigation is not the same thing as deciding whether an allegation is well founded. A head teacher (or nominated governor where the allegation is against the head teacher) should not investigate the allegation, or interview pupils, or discuss the allegation with the member of staff, but should consider, in consultation with the LEA lead officer, whether the allegation requires further investigation and if so, by whom. Only if the allegation is trivial or demonstrably false, will further investigations **not** be warranted.
- 8.4 Where the initial assessment by the LEA lead officer and the head teacher (or, where the allegation is against the head teacher, the nominated governor) concludes that the allegation warrants investigation, there will be either:

- (i) a referral to one or more of the agencies with statutory responsibilities to make enquiries; or
- (ii) where wholly satisfied that the child or children is/are not at risk of significant harm or that a potential crime has not been committed, an investigation under the school's disciplinary procedures.

9. **ENQUIRIES AND INVESTIGATIONS**

9.1 There are three possible types of investigation:

- (a) enquiries by social services under local child protection procedures
- b) related police investigations into possible criminal offences
- (c) the school's disciplinary procedures.

9.2 Any disciplinary process should be clearly separated from child protection enquiries and criminal investigations. Whilst the disciplinary process may be informed by child protection enquiries and criminal investigations, and in some circumstances the child protection agencies might decide to make a recommendation about suspension or other protective action as a result of the strategy discussion (see section 10, below), the child protection and criminal processes have different objectives from the disciplinary procedure and they should not be confused. Decisions as to suspensions and/or disciplinary action are for the head teacher/governing body (see section 15.2 about cases where consulting with police is advised prior to suspension)

9.3 Any investigation by the police or child protection agencies will take priority over an internal disciplinary investigation by the school. An internal investigation related to the same or similar allegations running alongside a criminal investigation or child protection enquiry is not likely to be good practice and should be held in abeyance pending the completion of the external enquiries and investigation. In any event, the decision as to whether to initiate an internal investigation will be more fully informed by information about the outcome of the child protection enquiries and any criminal investigation.

9.4 The Appendix gives guidance on investigative procedures appropriate for an internal investigation being undertaken at school level after a decision not to refer an allegation under local child protection procedures, or a decision by the child protection agencies that they will not carry out child protection enquiries. Guidance on investigative procedures may already exist as an integral part of schools' disciplinary procedures but the Appendix is intended to inform the review, or the establishment, of appropriate investigative procedures, where no agreed procedures are in operation. If further information comes to light during the course of these investigations, then a further referral to the child protection agencies may again need to be considered.

10. **ACTION SUBSEQUENT TO REFERRAL TO CHILD PROTECTION AGENCIES**

10.1 When an allegation has been referred through the Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board procedures to the appropriate child protection agency any subsequent enquiries will be informed by the guidance. This guidance recommends that there should be a strategy discussion to plan the conduct of enquiries under child protection procedures and it is essential

that the LEA lead officer and, other than in exceptional circumstances, the head teacher or designated teacher or nominated governor (where the allegation is against the head teacher) be involved in and contribute to such strategy discussions in cases of allegations against members of staff.

- 10.2 The strategy discussion should also consider whether any other children are likely to have been at risk in the light of the allegation and whether it may be necessary to review any previous allegations made against the member of staff or to consider interviewing any other children including ex-pupils of the school or any other schools.
- 10.3 The head teacher/nominated governor/LEA lead officer should balance the welfare of the accused member of staff, and the interests of the investigation taking account of the need to minimise the stress to anyone who may be wrongly accused. Staff who are the subject of allegations should be advised by the head teacher at the earliest opportunity to contact their trade union.

11. **POLICE INVOLVEMENT**

11.1 In some cases the police might wish to interview the member of staff against whom the allegation is made before any approach is made by the head teacher (designated teacher or nominated governor in cases where allegations involve the head teacher). The police may act independently particularly where the alleged offence does not arise from the individual's professional duties in the school. Police officers should be given every assistance with their enquiries but confidentiality about the enquiries should be maintained in the individual's interests.

11.2 When the police are involved, it would not normally be expected that police interviews would be undertaken on school premises and it would be expected that appointments are normally made for such interviews to occur at reasonable times.

12. **NOTIFICATION OF INTERESTED PERSONS**

12.1 The police or the strategy discussion may decide that the investigation would be hindered by an approach to parties at an early stage. The head teacher in consultation with the LEA lead officer, must ensure there is no objection by the police before contacting any parties. Subject to there being no objection, the head teacher (or nominated governor in cases involving allegations against the head teacher) should:-

- (a) inform the child, children or parent making the allegation and explain the likely course of action;

- (b) ensure the parents of the child who is the alleged victim have been informed of the fact of the allegation and of the likely course of action;
- (c) inform the member of staff against whom the allegation is made and explain the likely course of action;
- (d) inform the chair of governors/nominated governor of the school.

12.2 Where the police object to the action outlined in a-d above, the head teacher/nominated governor and the LEA lead officer should be informed accordingly and arrangements made to keep him/her informed as to when these notifications may take place or have taken place.

12.3 A written record of the action taken under this section should be made by the head teacher (or nominated governor).

ALLEGATIONS WITHOUT FOUNDATION

13. Where the circumstances set out in paragraph 7.3 (ii) (the allegation is demonstrably false) are met, then the head teacher (or, where the allegation involves the head teacher, the nominated governor) should in consultation with the LEA lead officer and designated teacher:-

- (a) take account of the fact that if a child has made an obviously false allegation of abuse, this may well be strong indicator of problems of abuse elsewhere which require further exploration. The best way for this to be achieved is through an inter-agency referral in order that any underlying causes can be teased out;

- (b) inform the member of staff orally and in writing of the allegation and the fact that no further action is to be taken under disciplinary or child protection procedures. The member of staff may be accompanied by a trade union representative or friend;
- (c) consider whether counselling and/or informal professional advice to the member of staff is appropriate and the form either might take;
- (d) inform the parents of the child or children of the allegation and the outcome in writing;
- (e) consider appropriate counselling and support for the child or children who made the allegation(s) and, where appropriate, their parents; in particular, consider what follow up action should be taken in regard to a person or child who has made an allegation that is shown to be false or unfounded, especially if it is shown to have been made maliciously;
- (f) where the allegation has been made by a person other than the alleged child victim themselves, consideration should be given to informing the parents and child of the fact of the unfounded allegation and providing support as necessary; and
- (g) prepare a report, embodying a-f above and giving reasons for the conclusion that the allegation is without foundation.

14. **CONSIDERING WHETHER SUSPENSION IS APPROPRIATE**

- 14.1 The provisions for any suspension of school-based staff are set out in Schedules 16 and 17 of the School Standards and Framework Act 1998. Decisions on suspensions are taken by head teachers or the governing body (action by the chair in

relation to the head teacher must be notified to the full governing body). In cases where the nominated governor is not the chair of governors, the chair of governors will need to be involved in any suspension of a head teacher.

14.2 Staff against whom an allegation is made should not automatically be suspended. In the case of an immediate referral to the child protection agencies (as under subparagraph 7.2) immediate suspension is more likely to be appropriate. In the case where immediate referral is accompanied by consideration of disciplinary procedures, suspension may or may not be appropriate. Schools should give due weight to the views of the LADO and the policy when making a decision about suspension. In the case of unfounded allegations, suspension is unlikely. The head teacher or nominated governor should consult with the LEA lead officer and consider any recommendation which may be made by the child protection agency as a result of the strategy discussion before a decision to suspend is taken.

14.3 Suspension may be considered at any stage of an investigation. Suspension is a neutral act, not a disciplinary sanction, and will be on full pay. Paid leave of absence, mutual agreement to refrain from work, alternative duties/locations or removal from contact with pupil may also be used as an alternative to suspension.

14.4 Suspension should not be undertaken without good reason. Circumstances in which suspension properly occurs include:-

- (a) where a child or children is/are at risk;
- (b) where the allegations are so serious that dismissal for gross misconduct is possible;

- (c) where a suspension is necessary to allow the conduct of the investigation to proceed unimpeded.

14.5 In all cases where suspension is being considered, the head teacher or nominated governor should advise the individual to seek assistance from his or her trade union.

15. **AN INTERVIEW TO CONSIDER SUSPENSION OF A MEMBER OF STAFF**

- 15.1 Where suspension is being considered, an interview should be arranged. Normally, the interview should be undertaken outside pupil contact time². The head teacher (or, in cases where the allegation is against the head teacher, the nominated governor) should consult with and seek advice from the LEA lead officer.
- 15.2 Where the police are involved in a criminal investigation, any interview arranged, where suspension is considered, should not be conducted without prior consultation with the officer in charge of the case. Where there is no police involvement, an interview should be arranged in accordance with the following procedures.
- 15.3 When called to an interview where suspension is a possible outcome the member of staff should be advised to seek the advice and assistance of his or her trade union. A person who is not a member of a trade union may be assisted by a friend. He/she, where accompanied, should be offered the opportunity of a brief meeting with the representative or friend before the interview.
- 15.4 The member of staff should be informed at the outset of the interview that an allegation has been made and that, at the conclusion of the interview, suspension might occur. It should be made clear, however, that the interview is not a formal disciplinary hearing but is for the purpose of raising a serious

² In accordance with the relevant ACAS Code of Practice, where the *person* is a trade union or safety representative, the interview should not be arranged without prior discussion with the relevant branch secretary or a full-time official of the trade union concerned. From the outset it should be established that the action being taken is not an attack on the functions of a trade union.

matter which may lead to suspension and further investigation.

15.5 The member of staff should be given as much information, including reasons for any proposed suspension, as is consistent with not interfering with an investigation about the allegation. This meeting is not concerned with examination of the evidence but is an opportunity for the member of staff to make representations concerning any possible suspension. The member of staff should be given an opportunity to make such representations after the information has been given and the reasons for any proposed suspension made out. A brief adjournment should be offered to the member of staff prior to response.

15.6 If, as a result of the interview, it is considered by the head teacher/chair of governors that suspension is necessary along with a full investigation of the allegation, the individual should be advised that he or she is suspended from duty. Written confirmation of the suspension should be dispatched within one working day, giving reasons for the suspension.

15.7 If immediate suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the case manager and the designated officer(s). This should also include what alternatives to suspension have been considered and why they were rejected.

16. **AFTER A DECISION TO SUSPEND PENDING INVESTIGATION**

16.1 Where a member of staff has been suspended, the chair of governors and Chief Education officer should be informed of the suspension formally, in writing. Where the head teacher is suspended the chair of governors should inform the Chief

Education officer. In all cases a report should be made to the governing body that a member of staff has been suspended pending investigation. It is inadvisable to provide more than the minimum information necessary to the governing body, as more than this would prejudice governors' impartiality in any subsequent hearing or appeal in disciplinary proceedings. Where the head teacher has been suspended, the implications for the management of the school will need to be considered including the arrangements for an Acting Head teacher.

- 16.2 From 1st October 2012, there are restrictions on the reporting or publishing of allegations against teachers and so schools must make every effort to maintain confidentiality and guard against unwanted publicity. These restrictions apply up to the point where the accused person is charged with an offence, or the DfE/NCTL publish information about an investigation or decision in a disciplinary case.
- 16.3 The pupil or parent making the allegation should be confidentially informed of the suspension. Where the pupil is under 18, his or her parents should normally be informed, in confidence in so far as to do so is consistent with wider child protection considerations.
- 16.4 Senior teachers in the school who need to know of the reason for the suspension should be informed so far as is necessary in the particular circumstances. The head teacher/acting head teacher should take a decision on informing other staff colleagues in the school of the suspension.
- 16.5 The head teacher/acting head teacher should discuss with the nominated governor the extent to which it is necessary to make a statement to parents of children in the school, having considered the need to avoid unwelcome publicity.

- 16.6 In certain circumstances, it may be necessary for the head teacher (acting head teacher in consultation with the nominated governor) to provide immediate reassurance to parents and children in the school and there may be a need for information to continue to be provided during the course of an investigation to parents, children and other colleagues.
- 16.7 In respect of paragraphs 16.3, 16.4 and 16.5 guidance should be sought from the LEA lead officer or, where relevant and appropriate, from social services or the police.
- 16.8 The head teacher/acting head teacher in consultation with the nominated governor should consider carefully, and keep under review, decisions as to who is informed of the suspension and investigation and to what extent confidentiality can or should be maintained, according to the circumstances of a particular case. In a situation where a matter becomes common knowledge or the subject of general gossip, it may be desirable to provide an accurate statement for public information. Advice should be taken from the LEA lead officer on this matter as necessary.

17. **SUPPORT FOR STAFF DURING THE PERIOD OF SUSPENSION**

17.1 The suspended member of staff should be given the name of an LEA officer as an information contact. The main role of the contact person is to provide information as to the progress of the investigation. Social contact with colleagues and friends at the school should not be precluded except where it is likely to be prejudicial to child protection enquiries, criminal investigations or disciplinary processes.

17.2 Although it is the aim that all investigations should be conducted as speedily as possible consistent with establishing the full facts, arrangements should be made for the individual, or his or her representative, to be contacted regularly with information on progress and developments on the case. These arrangements should not preclude him/her, or his or her representative, contacting those conducting the investigation at any time.

17.3 According to the needs and wishes of the member of staff to be kept informed, a colleague contact should also be in a position to provide information about developments at the school in general.

17.4 In some cases, it may be appropriate to ask whether welfare counselling or the support of the LEA's medical adviser would be helpful, or to respond to a request for such further support.

18. **SUPPORT FOR OTHERS CONCERNED**

Support will be needed for the child or children making the allegations and their parents. Consideration should be given to the form such support should take. Consideration should also be given

to what support may be needed for others at the school, both staff and pupils, according to the circumstances of the alleged abuse. In some cases, therapeutic counselling from expert sources may be necessary. Advice on this can be obtained via the Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board.

19. **WHERE NO ACTION IS TAKEN TO SUSPEND**

19.1 The head teacher/nominated governor (in cases where the allegation is against the head teacher) should explain the circumstances which led to consideration of suspension and further explain any follow-up action which it is proposed to take. The member of staff may be accompanied by a trade union representative or friend. According to the circumstances of the case, appropriate assistance or advice may be offered. The head teacher/nominated governor should seek to establish what support, if any, is required and, where appropriate and acceptable to the member of staff should seek advice from the LEA lead officer. According to circumstances, appropriate counselling services should be considered.

19.2 If a member of staff has not been suspended but there are concerns about aspects of his/her conduct, a full investigation should be undertaken before making a decision about further action under disciplinary procedures (see Appendix).

20. **OUTCOME OF DISCIPLINARY INVESTIGATION**

20.1 At the end of the investigation, a meeting should be arranged to inform the member of staff of the next steps. He/she may be accompanied or represented by a trade union representative or friend.

- 20.2 If the outcome is a disciplinary charge, further action will be in accordance with the school's disciplinary procedures and will happen after child protection enquiries (see paragraph 9.2).
- 20.3 If the individual has been suspended and it is later decided not to proceed with any form of disciplinary action or to dismiss, the suspension should be lifted immediately. The head teacher/nominated governors should meet the member of staff to discuss the arrangements for their return to work.
- 20.4 Other than in the event of dismissal, the school should provide the opportunity for informal counselling. This could be used to give appropriate guidance, support and reassurance and help, where necessary, to rebuild confidence. There may also be a need for specific guidance and sympathetic consideration may need to be given to other employment options, in consultation with the local education authority.
- 20.5 On the conclusion of any investigation and any related disciplinary proceedings, the child or children who made the allegations and their parents should be informed of the outcome of the proceedings. This should be prior to the person's return to school if he or she has been suspended. In some circumstances, consideration should be given to the broader disclosure of details of the outcome, together with reasons, for example, where the issues are of general importance, have become common knowledge or have been the subject of general gossip and there is a need to provide accurate details for public information. The authority's public relations department may be able to offer appropriate advice.
- 20.6 Appropriate counselling and support should be offered to the child or children who made the allegations and, where

appropriate, their parents, by the time the member of staff returns to school. In particular, this should take into account a child's particular needs where a false or malicious allegation has been made.

20.7 There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child.

21. **RECORDS**

21.1 Documents relating to an investigation of an allegation must be retained, in a secure place by the school, together with a written record of the outcome of the investigation and retained on the member of staff's personal and confidential file in accordance. Information about an allegation found to be malicious will not be retained on the member of staff's personnel file.

21.2 If the member of staff is dismissed, or resigns before a disciplinary process is completed, he/she should be informed about the employer's statutory duty to report the case to the Department for Education and Skills Teachers' Misconduct Section, for consideration for their debarring from further employment.

21.3 If the member of staff applies for a position elsewhere, details of any allegation will be included in a reference, unless an allegation is malicious, unsubstantiated or unfounded.

21.4 Where a pupil has made an allegation, a copy of the statement or the record made of it should be kept on the section of a pupil's personal file which is not open to disclosure, together with a written record of the outcome of

the investigation. If there are related criminal or civil proceedings, records may be subject to disclosure; and, therefore, no assurances can be given of confidentiality.

21.5 A copy of records must be given to the person concerned as well as on their personnel file. The record of the accused will be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of allegation if that is longer.

22. **POSTSCRIPT**

The nominated governor/head teacher and/or the LEA may find it helpful to consider with the LADO at the conclusion of the investigation whether there are any general matters arising from it which should be brought to the attention of managers within the education department or of the ACPC as perhaps warranting a review of local policy or procedures. Any training needs of staff might also be considered as part of such a review. The publication of any such information to managers or the Local Children Safeguarding Boards (LCSB) or Doncaster Safeguarding Children Board should preserve confidentiality for the member of staff and children involved in the investigation.

APPENDIX

INVESTIGATIVE PROCEDURES AFTER CHILD PROTECTION AND CRIMINAL OFFENCE QUESTIONS HAVE BEEN RESOLVED PRELIMINARY TO CONSIDERING DISCIPLINARY ACTION - GUIDANCE

1. **The Aim** of an investigation is to obtain, as far as possible, a fair and balanced picture, which should be reflected in an accurate

written record. The aim is not to prove or disprove an allegation. The investigation is a fact finding exercise and is preliminary to considering the appropriateness of disciplinary action.

2. Undertakings of confidentiality should not be given to either a person making allegations or those interviewed. All evidence compiled in the investigation and to be relied on should be made available to the parties in any subsequent disciplinary proceedings and those giving evidence in the investigation should be so informed.
3. **Children or parents making allegations** should be interviewed and a record made of their allegations in the form of signed and dated statements. If these statements are made in the course of an internal investigation then they may be passed to the police should the matter subsequently become the subject of a police investigation. As a matter of good practice, the authors of the statements should be informed that they might be disclosed to the police. In the case of statements, or other evidence gathered in the course of an investigation, made to the police as part of any criminal investigation, they can only be provided to the school as part of a disciplinary investigation with the consent of the police and the signatories of the statements. Any statements etc which are used in the course of disciplinary hearings should be disclosed to the subject of the hearings, in accordance with the school's disciplinary procedures.
4. **PRELIMINARY STAGES**
 - 4.1 The person undertaking the investigation should seek specialist advice as necessary, for example, from the LEA, and should familiarise him/herself with any relevant procedures and guidelines.
 - 4.2 The person investigating should

- define areas to be investigated
- draw up a provisional list of those to be interviewed and a list of topics to be discussed, during the investigation
- check corroborative evidence
- assess the credibility of the person making the allegation.

5. **THE INVESTIGATION PROCESS**

- 5.1 Interviews should be carried out as soon as possible. A statement should be taken from each person, signed and dated. The person carrying out the investigation should have access to assistance as necessary to make the record. A suitable venue and time should be selected to encourage co-operation and the opportunity to be accompanied should be offered to each interviewee. At the beginning of an interview, a general explanation of the purpose of the investigation should be provided.
- 5.2 If, at any stage during the investigation, new evidence emerges which make a referral necessary under local child protection procedures or to the police, the investigation should be held in abeyance immediately following such a referral. Consideration should also be given as to whether suspension is appropriate in such circumstances. The disciplinary investigation should only be resumed if the responsible child protection agency and/or the police indicate that such resumption will not interfere with any child protection enquiries or criminal investigations.

6. **INTERVIEWING A MEMBER OF STAFF WHO IS THE SUBJECT OF AN ALLEGATION**

- 6.1 The point at which this occurs will depend upon the nature of the allegation and the investigation process.
- 6.2 The members of staff should be informed of:-
- his/her rights under the school's disciplinary procedure, including the right to representation.
 - the allegation and invited to respond and to make a statement.
 - the right either to respond or decline to respond.
- 6.3 Full notes should be taken of the interview and the member of staff invited to read and sign them as a true record after the interview. (A copy of the notes will be given to the member of staff.)
- 6.4 The member of staff should be invited to identify any persons who may have information relevant to the investigation. These names should be added to the list of those to be interviewed.

7. **COMPILING A REPORT**

- 7.1 Once all the relevant persons have been interviewed and all the relevant issues have been explored, the investigation is complete. The details obtained and the statements taken should then be compiled into a report.
- 7.2 Consideration should again be given as to whether there are matters which should be referred under local child

protection procedures or to the police and whether suspension is appropriate. If there is such a referral, further proceedings at school level should be held in abeyance, and only resumed in accordance with the process outlined at 7.4 above.

8. **SUBSEQUENT ACTION**

A decision will need to be taken at this stage on whether further action should be taken, including the possible referral of the report under disciplinary proceedings.

September 2016