

BEBINGTON HIGH SPORTS COLLEGE



**Policy for Safer Working Practice
for Adults who work with
Children and Young People**

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SECTION 1: OVERVIEW

1.1. Background

All adults who come into contact with students at Bebington High Sports College have a duty of care¹ to safeguard and promote their welfare.

The Children Act 2004, through the Stay Safe outcome of the Every Child Matters Change for Children programme², places a duty on schools/services to safeguard³ and promote the well-being of students. This includes the need to ensure that all adults who work with or on behalf of our students are competent, confident and safe to do so.

The vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for students in their care. However, it is recognised that in this area of work tensions and misunderstandings can occur. It is here that the behaviour of adults can give rise to allegations of abuse being made against them. Allegations may be malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned. Equally, it must be recognised that some allegations will be genuine and there are adults who will deliberately seek out, create or exploit opportunities to abuse children. It is therefore essential that all possible steps are taken to safeguard students and ensure that the adults working with them are safe to do so.

Some concerns have been raised about the potential vulnerability of adults in this area of work across the country. This policy gives clearer advice about what constitutes illegal behaviour and what might be considered as misconduct. This document has been produced in response to these concerns and provides practical guidance for anyone who works with, or on behalf of students regardless of their role, responsibilities or status. It seeks to ensure that the duty to promote and safeguard the wellbeing of children is in part, achieved by raising awareness of illegal, unsafe and inappropriate behaviours.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that this policy cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this document, or which directly contravene the guidance given by their employer. It is expected that in these circumstances adults will always advise their senior colleagues of the justification for any such action already taken or proposed.

It is also recognised that not all adults who work with students work as paid or contracted employees. The principles and guidance outlined in this document still apply and must be followed by any adult whose work brings them into contact with students.

The guidance contained in this document has due regard to current legislation and statutory guidance. It has been updated from a previous 2006 version.

1.2. What to do if you are worried a child is being abused⁴

Everyone working with students must be familiar with local school procedures and protocols for safeguarding the welfare of students.

¹ The duty which rests upon an individual to ensure that all reasonable steps are taken to ensure the safety of a child or young person involved in any activity, or interaction for which that individual is responsible. Any person in charge of, or working with students in any capacity is considered, both legally and morally, to owe them a duty of care

² www.everychildmatters.gov.uk

³ Process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables them to have optimum life chances... Working Together to Safeguard Children: 2006 HM Government

⁴ What to do If You are Worried a Child is Being Abused HM Government 2006

Adults have a duty to report any child protection or welfare concerns to the designated member of staff in school and/or report any concerns to the local social care office. Anyone who has concerns or is in doubt must follow the procedure outlined in the Child Protection section of this document or refer to the document 'What To Do If You're Worried a Child Is Being Abused' and follow that guidance.

The designated officer at Bebington High Sports College is Miss N MacLennan (Assistant Headteacher), in her absence, Mr B K Jordan (Headteacher).

SECTION 2: USING THE POLICY

2.1. Status of Document

This policy document has been formulated in conjunction with the Department for Children, Schools and Families⁵. (DCSF). The document complements existing professional procedures, protocols and guidance which relate to specific roles, responsibilities or professional practices within an Education setting.

2.2. Purpose of this Policy Document

It is important that all adults working with children understand that the nature of their work and the responsibilities related to it, place them in a position of trust. This practice guidance provides clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities, in all settings and in all contexts. The guidance aims to:

- keep children safe by clarifying which behaviours constitute safe practice and which behaviours must be avoided;
- assist adults working with children to work safely and responsibly and to monitor their own standards and practice;
- support managers and employers in setting clear expectations of behaviour and/or codes of practice relevant to the services being provided;
- support employers in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken;
- support safer recruitment practice;
- minimise the risk of misplaced or malicious allegations made against adults who work with students;
- reduce the incidence of positions of trust being abused or misused.

2.3. Underpinning Principles

- The welfare of the child is paramount.⁶
- It is the responsibility of all adults to safeguard and promote the welfare of students. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with students.
- Adults who work with children are responsible for their own actions and behaviour and must avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Adults must work and be seen to work, in an open and transparent way.
- The same professional standards must always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.
- Adults must continually monitor and review their practice and ensure they follow the guidance contained in this document.

⁵ Previously DFES

⁶ Children Act 1989

2.4. Definitions

Students/Children and Young people: Throughout this document references are made to "students, and children and young people". These terms are interchangeable and refer to children who have not yet reached their 18th birthday. However, we continue to have adults of care referred to in this policy after the 18th birthday if the student remains on roll at Bebington High Sports College.

Adults: References to 'adults' or 'volunteers' refer to any adult who is employed, commissioned or contracted to work with or on behalf of students in either a paid or unpaid capacity.

Headteacher/Leader: These terms refers to those adults who have responsibility for managing staff and/or services including the supervision of employees and/or volunteers at any level.

Employer: The term 'employer' refers to the school/service which employs, or contracts to use the services of individuals in pursuit of the goals of that school/service. In the context of this document, the term 'employer' is also taken to include 'employing' the unpaid services of volunteers.

Safeguarding: Process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully⁷.

Duty of Care: The duty which rests upon an individual or school/service to ensure that all reasonable steps are taken to ensure the safety of a child or young person involved in any activity or interaction for which that individual or school/service is responsible. Any person in charge of, or working with students in any capacity is considered, both legally and morally to owe them a duty of care.

2.5. How to Use the Document

This document is relevant to both individuals and schools/services working with or on behalf of students. Where an individual works independently and does not work as part of a school/service references made to the 'senior leader' must be taken to refer to parents or those with parenting responsibilities.

Each section provides general guidance about a particular aspect of work undertaken with students with, in the right hand column, specific guidance about which behaviours must be avoided and which are recommended. Appendix 2 provides a visual framework for understanding how the document fits with safer recruitment and selection and procedures and those which relate to disciplinary proceedings.

This document also contains the policy for recruitment and selection process and provides employees and volunteers with clear guidance on appointment and revisiting this guidance through induction, supervision, performance management, training programmes etc, will also help to ensure a safer children's workforce. This policy allows the Headteachers, Chairs and Governing bodies to be better placed to deal with unsuitable or inappropriate behaviour if their expectations have been made clear and reinforced throughout a person's employment and there is evidence that this has been done.

Individuals must follow this guidance in their day to day practice. It must also be referred to when taking on new work, different duties or additional responsibilities.

⁷ Working Together to Safeguard Children 2006. HM Government (WT 2006)

SECTION 3: GUIDANCE FOR SAFE WORKING PRACTICE

1. Context

Staff at Bebington High Sports College have a crucial role to play in shaping the lives of young people. They have a unique opportunity to interact with children and young people in ways that are both affirming and inspiring. This policy has been produced to ensure adults establish the safest possible learning and working environments which safeguard children and young people and reduce the risk of adults working with them being falsely accused of improper or unprofessional conduct.

2. 'Unsuitability'⁸

This policy identifies what behaviours are expected of adults who work with students. Adults whose practice deviates from this guidance and/or their professional or employment-related code of conduct may bring into question their suitability to work with students or children and young people in any capacity.

3. Duty of Care

Teachers and other education staff at BHSC are accountable for the way in which they exercise authority; manage risk; use resources; and protect students from discrimination and avoidable harm.

All staff, whether paid or voluntary, have a duty to keep young people safe and to protect them from sexual, physical and emotional harm. Children have a right to be safe and to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure the safety and well-being of students. Failure to do so may be regarded as professional neglect.

The duty of care is, in part, exercised through the development of respectful, caring and professional relationships between staff and students and behaviour by staff that demonstrates integrity, maturity and good judgement.

The public, local authorities, employers and parents have legitimate expectations about the nature of professional involvement in the lives of students. When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role.

This means that this policy:

- Applies to **all** adults working in education settings whatever their position, role, or responsibilities
- may provide guidance where an individual's suitability to work with students has been called into question.

This means that adults must:

- have a clear understanding about the nature and content of this document
- discuss any uncertainties or confusion with their Headteacher or line manager
- understand what behaviours may

This means that adults must:

- understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached
- always act, and be seen to act, in the child's best interests
- avoid any conduct which would lead any reasonable person to question their motivation and intentions
- take responsibility for their own actions and behaviour

This means that employers must:

- foster a culture of openness and support
- ensure that systems are in place for concerns to be raised
- ensure that there is in place effective recording systems which confirm discussions, decisions and the outcomes of any actions taken.
- ensure that staff are not placed in situations which render them

⁸ WT 2006 Chapter 6, page 153.

As employers, we have a duty of care towards our employees under the Health and Safety at Work Act 1974⁹ which requires them to provide a safe working environment for staff and guidance about safe working practices. Thus, the governing body has a duty of care for the well-being of employees and to ensure that employees are treated fairly and reasonably in all circumstances. Staff who are subject to an allegation must therefore be supported and the principles of natural justice applied

The Health and Safety Act 1974 also imposes a duty on employees¹⁰ to take care of themselves and anyone else who may be affected by their actions or failings. An employer's duty of care and the staff duty of care towards children must not conflict. This 'duty' can be demonstrated through the use and implementation of these guidelines. See page 5.

The Governing Body of our school controls the use of the school premises both during and outside school hours.

Where the Governing Body provides services or activities directly under the supervision or management of school staff the school's arrangements for safeguarding must be followed.

4. Confidentiality

Members of staff at BHSC may have access to confidential information about students in order to undertake their every day responsibilities. In some circumstances staff may be given highly sensitive or private information. They must never use confidential or personal information about a student or her/his family for their own, or others' advantage (including that of partners, friends, relatives or other schools/services). Information must never be used to intimidate, humiliate, or embarrass the student.

Confidential information about a child or young person must never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the child's identity does not need to be disclosed the information must be used anonymously.

There are some circumstances in which a member of staff may be expected to share information about a child, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay, but only to those with designated child protection responsibilities.

If a member of staff is in any doubt about whether to share

- particularly vulnerable*
- *ensure that all staff are aware of expectations, policies and procedures*

This means that Governing Bodies must:

- *ensure that appropriate safeguarding and child protection policies and procedures are adopted, implemented and monitored in school*
- *ensure that, where services or activities are provided by another body, the body concerned has appropriate safeguarding policies and procedures*

This means that adults:

- *be clear about when information can be shared and in what circumstances it is appropriate to do so*
- *are expected to treat information they receive about students in a discreet and confidential manner*
- *must seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them*
- *need to know to whom any concerns or allegations must be reported*

⁹ Health and Safety at Work Act 1974 Part I, Section. 2 (1) and (2)

¹⁰ Health and Safety at Work Act 1974 Part I, Section.7

information or keep it confidential he or she must seek guidance from a senior member of staff. Any media or legal enquiries must be passed to senior management.

The storing and processing of personal information about students is governed by the Data Protection Act 1998. Employers must provide clear advice to staff about their responsibilities under this legislation.

The booklet "What To Do If You're Worried A Child Is Being Abused"¹¹ contains further guidance¹² on sharing information to protect children.

5. Making a Professional Judgement

This policy cannot provide a complete checklist of what is, or is not appropriate behaviour for adults in all circumstances. There may be occasions and circumstances in which adults have to make decisions or take action in the best interests of the child or young person which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge. Such judgements must always be recorded and shared a member of the senior leadership team and with the parent or carer. In undertaking these actions individuals will be seen to be acting reasonably.

Adults must always consider whether their actions are warranted, proportionate and safe and applied equitably.

6. Power and Positions of Trust

As a result of their knowledge, position and/or the authority invested in their role, all adults working in education settings are in positions of trust in relation to the young people in their care. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity. It is vital for all those in positions of trust to understand the power this can give them over those they care for and the responsibility they must exercise as a consequence of this relationship.¹³

A relationship between an adult and a child or young person is not a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Adults therefore have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Adults must always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They must report and record any

This means that where no specific guidance exists adults must:

- *discuss the circumstances that informed their action, or their proposed action, with the Headteacher, senior member of the team and the parent/carer.*
- *report any actions which could be mis-interpreted to their senior leader*
- *always discuss any misunderstanding, accidents or threats with a senior leader*
- *record any areas of disagreement about course of action taken and if necessary referred to a higher*

This means that adults must not:

- *use their position to gain access to information for their own or others' advantage*
- *use their position to intimidate, bully, humiliate, threaten, coerce or undermine students*
- *use their status and standing to form or promote relationships which are of a sexual nature, or which may become so*

¹¹ What to Do if you are Worried that a Child is Being Abused. Department of Health May 2003

¹² www.doh.gov.uk/safeguardingchildren/index.htm

¹³ Caring for Young People and the Vulnerable. Guidance for Preventing Abuse of Trust Home Office

incident with this potential.

Where a person aged 18 or over is in a specified position of trust¹⁴ with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity.

7. Propriety and Behaviour

All adults working with students at BHSC have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of students. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, students or public in general and all those with whom they work.

There may be times, for example, when an adult's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in their workplace or indicate an unsuitability to work with students. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

Adults in contact with students must therefore understand and be aware, that safe practice also involves using judgement and integrity about behaviours in places other than the work setting.

The behaviour of an adult's partner or other family members may raise similar concerns and require careful consideration by the SLT and governing body as to whether there may be a potential risk to students in the workplace.

8. Dress and Appearance

A person's dress and appearance are matters of personal choice and self-expression. However adults must dress in ways which are appropriate to their role and this may need to be different to how they dress when not at work.

Adults who work with students must ensure they are dressed appropriately for the tasks and the work they undertake.

Those who dress in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations.

9. The Use of Personal Living Space¹⁵

No child or young person must be in or invited into, the home¹⁶ of an adult who works with them, unless the reason for this has been firmly established and agreed with parents/

This means that adults must not:

- *behave in a manner which would lead any reasonable person to question their suitability to work with children or act as a role model.*
- *make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate, or which might be interpreted as such*

This means that adults must:

- *be aware that behaviour in their personal lives may impact upon their work with students*
- *follow any codes of conduct deemed appropriate by their school/service*
- *understand that the behaviour and actions of their partner (or other family members) may raise questions about their suitability to work with students*

This means that adults must wear clothing which:

- *is appropriate to their role*
- *is not likely to be viewed as offensive, revealing, or sexually provocative*
- *does not distract, cause embarrassment or give rise to misunderstanding*
- *is absent of any political or otherwise contentious slogans*

This means that adults must:

- *be vigilant in maintaining their*

¹⁴ Sexual Offences Act 2003.Sect 16-19 re-enacts and amends offence of abuse of position of trust

¹⁵ See also Section 13 Social Contact

¹⁶ This includes any home or domestic settings used or frequented by the adult

carers and a senior leader or Headteacher.

The governing body at Bebington High Sports College will not expect or request that private living space be used for work with students. Neither is it appropriate for school authorities to expect or request that private living space be used to see students for e.g. discussion of reports, academic reviews, tutorials, pastoral care or counselling. If these activities are required, staff must use the appropriate accommodation in the school i.e. meeting room, Year Managers office, consulting room etc and ensure that SLT are aware.

Under no circumstances must students assist with chores or tasks in the home of an adult who works with them. Neither must they be asked to do so by friends or family of that adult.

10. Gifts, Rewards and Favouritism

All adults must be aware of their school or school/service guidance on rewards including arrangements for the declaration of gifts received and given.

The giving of gifts or rewards to students must only occur within the agreed policy for supporting positive behaviour or recognising particular achievements. In some situations, the giving of gifts as rewards may be accepted practice for a group of children, whilst in other situations the giving of a gift to an individual child or young person will be part of an agreed plan, recorded and discussed with senior leader and the parent or carer.

It is acknowledged that there may be specific occasions when an adult working with a child or young person may consider it appropriate to give a child or young person a small personal gift of insignificant value. This is only acceptable practice where, in line with the agreed policy, the adult has first discussed the giving of the gift and the reason for it, with the Headteacher, senior leader and the parent or carer and the action is recorded. Any gifts must be given openly and not be based on favouritism. Adults need to be aware however, that the giving of gifts can be misinterpreted by others as a gesture either to bribe or 'groom'¹⁷ a young person.

Staff must exercise care when selecting students for school teams, productions, trips and/or specific work tasks in order to avoid perceptions of favouritism or injustice. Similar care must be exercised when students are excluded from an activity. Methods of selection and exclusion must always be subject to clear, agreed criteria.

Care must also be taken to ensure that adults do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

privacy and mindful of the need to avoid placing themselves in vulnerable situations

- *challenge any request for their accommodation to be used as an additional resource for the school or school/service*
- *be mindful of the need to maintain professional boundaries*
- *refrain from asking students/students to undertake personal jobs or errands*

This means that adults must:

- *be aware of their school//service's policy on the giving and receiving of gifts*
- *ensure that gifts received or given in situations which may be misconstrued are declared*
- *generally, only give gifts to an individual young person as part of an agreed reward system*
- *where giving gifts other than as above, ensure that these are of insignificant value*
- *ensure that all selection processes which concern students are fair and that wherever practicable these are undertaken and agreed by more than one member of staff*

¹⁷ 'grooming' – the act of gaining the trust of a child so that sexual abuse can take place.

There are occasions when children, young people or parents wish to pass small tokens of appreciation to adults e.g. on special occasions or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

11. Infatuations

Occasionally, a child or young person may develop an infatuation with an adult who works with them. These adults must deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They must remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and must therefore make every effort to ensure that their own behaviour is above reproach.

An adult, who becomes aware that a child or young person is developing an infatuation, must discuss this at the earliest opportunity with a Headteacher, senior leader and parent/carer so appropriate action can be taken to avoid any hurt, distress or embarrassment.

12. Communication with Students (including the Use of Technology)

In order to make best use of the many educational and social benefits of new technologies, students need opportunities to use and explore the digital world, using multiple devices from multiple locations. It is now recognised that that e.safety risks are posed more by behaviours and values than the technology itself.¹⁸ Adults working in this area must therefore ensure that they establish safe and responsible online behaviours. This means working to local and national guidelines on acceptable user policies.¹⁹ These detail the way in which new and emerging technologies may and may not be used and identify the sanctions for misuse. Learning Platforms are now widely established and clear agreement by all parties about acceptable and responsible use is essential.

Communication between students and adults, by whatever method, must take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones text messaging, e-mails, digital cameras, videos, web-cams, websites and blogs. Adults must not share any personal information with a child or young person. They must not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. Adults must ensure that all communications are transparent and open to scrutiny.

This means that adults must:

- *report and record any incidents or indications (verbal, written or physical) that suggest a child or young person may have developed an infatuation with a member of staff*
- *always acknowledge and maintain professional boundaries*

This means that schools/services must:

- *have in place an Acceptable Use policy (AUP)*
- *continually self-review e.safety policies in the light of new and emerging technologies*
- *have a communication policy which specifies acceptable and permissible modes of communication*

This means that adults must:

- *ensure that personal social networking sites are set at private and students are never listed as approved contacts*
- *never use or access social networking sites of students.*
- *not give their personal contact details to students, including their mobile telephone number*
- *only use equipment e.g. mobile*

¹⁸ AUPs in Context: Establishing safe and responsible online behaviours

¹⁹ www.becta.org.uk/publications/aupsincontext

Adults must also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. They must not give their personal contact details to students including e-mail, home or mobile telephone numbers, unless the need to do so is agreed with senior management and parents/carers. E-mail or text communications between an adult and a child/young person outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through internet based web sites.

Internal e-mail systems must only be used in accordance with the school/service's policy.

Further information can be obtained from <http://www.becta.org.uk/>

13. Social Contact

Adults at BHSC must not establish or seek to establish social contact with students for the purpose of securing a friendship or to pursue or strengthen a relationship. If a student or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff must exercise her/his professional judgement in making a response. There will be occasions when there are social contacts between students and staff, where for example the parent and teacher are part of the same social circle. These contacts however, will be easily recognised and openly acknowledged.

Nevertheless, there must be awareness on the part of those working with children and young people that some social contacts, especially where these are not common knowledge can be misconstrued as being part a grooming process. This can also apply to social contacts made through outside interests or through the staff member's own family.

It is recognised that staff can support a parent who may be in particular difficulty. Care needs to be exercised in those situations where the parent comes to depend upon the staff member for support outside their professional role. This situation must be discussed with senior management and where necessary referrals made to the appropriate support agency.

14. Sexual Contact

All adults at BHSC must clearly understand the need to maintain appropriate boundaries in their contacts with students. Intimate or sexual relationships between children/young people and the adults who work with them will be regarded as a grave breach of trust and gross professional misconduct.

Allowing or encouraging a relationship to develop in a way

phones, provided by school/service to communicate with children, making sure that parents have given permission for this form of communication to be used

- *only make contact with children for professional reasons and in accordance with any school/service policy*
- *recognise that text messaging must only be used as part of an agreed protocol and when other forms of communication are not possible*
- *not use internet or web-based communication channels to send personal messages to a child/young person*

This means that adults must:

- *have no secret social contact with students or their parents*
- *consider the appropriateness of the social contact according to their role and nature of their work*
- *always approve any planned social contact with children or parents with senior colleagues,*
- *advise senior management of any social contact they have with a child or a parent with who whom they work, which may give rise to concern*
- *report and record any situation, which may place a child at risk or which may compromise the school/service or their own professional standing*
- *be aware that the sending of personal communications such as birthday or faith cards must always be recorded and/or discussed with line manager.*
- *understand that some communications may be called into question and need to be justified.*

This means that adults must not:

- *have sexual relationships with students*
- *have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact*
- *make sexual remarks to, or about, a*

which might lead to a sexual relationship is also unacceptable.

Any sexual activity between an adult and the child or young person with whom they work may be regarded as a criminal offence and will always be a matter for disciplinary action. All children and young people are protected by specific legal provisions in this respect regardless of whether the child or young person consents or not. The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material. 'Working Together to Safeguard Children'²⁰, defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening".

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child, and manipulate that relationship so sexual abuse can take place. Adults must be aware that consistently conferring inappropriate special attention and favour upon a child might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

15. Physical Contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with students, but it is crucial that they only do so in ways appropriate to their professional role.

A 'no touch' approach is impractical for most staff and will in some circumstances be inappropriate. When physical contact is made with students this must be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Appropriate physical contact in schools will occur most often with younger students.

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. Staff must therefore, use their professional judgement at all times.

Physical contact must never be secretive, or for the gratification of the adult, or represent a misuse of authority.

If a member of staff believes that an action could be misinterpreted, the incident and circumstances must be recorded as soon as possible in the school's incident book

child/young person

- *discuss their own sexual relationships with or in the presence of students*

This means that adults must:

- *ensure that their relationships with students clearly take place within the boundaries of a respectful professional relationship*
- *take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when members of staff are dealing with adolescent boys and girls.*

This means that adults must:

- *be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described*
- *never touch a child in a way which may be considered indecent*
- *always be prepared to report and explain actions and accept that all physical contact be open to scrutiny*
- *not indulge in horseplay*
- *always encourage children, where possible, to undertake self-care tasks independently*
- *work within Health and Safety regulations*
- *be aware of cultural or religious views about touching and always be sensitive to issues of gender*
- *understand that physical contact in some circumstances can be easily misinterpreted*

This means that schools/services must:

- *ensure they have a system in place for recording incidents and the*

²⁰ Working Together to Safeguard Children .A guide to interagency working to safeguard and promote the welfare of children HM Government 2006

and, if appropriate, a copy placed on the child's file.

Physical contact, which occurs regularly with an individual child or young person, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to students with SEN or physical disabilities). Any such contact must be the subject of an agreed and open school policy and subject to review. Where feasible, staff must seek the child's permission before initiating contact. Staff must listen, observe and take note of the child's reaction or feelings and – so far as is possible - use a level of contact and/or form of communication which is acceptable to the child for the minimum time necessary.

The general culture of 'limited touch' must be adapted, where appropriate, to the individual requirements of each child. Children with special needs may require more physical contact to assist their everyday learning.

The arrangements must be understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny.

It is recognised that some children may seek inappropriate physical contact. Adults must be particularly aware of this especially when it is known that a child has suffered previous abuse or neglect. In the child's view, physical contact might be associated with such experiences and lead to some actions being misinterpreted. In all circumstances where a child or young person initiates inappropriate physical contact, it is the responsibility of the adult to sensitively deter the child and help them understand the importance of personal boundaries. Such circumstances must always be reported and discussed with a senior leader and the parent/carer.

16. Other Activities that require Physical Contact

Some adults who work in certain settings, for example sports, drama or outdoor activities or teach specific subjects such as PE or music, will have to initiate some physical contact with children, for example to demonstrate technique in the use of a particular piece of equipment, adjust posture, or perhaps to support a child so they can perform an activity safely or prevent injury. Such activities must be carried out in accordance with existing codes of conduct, regulations and best practice.

Physical contact must take place only when it is necessary in relation to a particular activity. It must take place in a safe and open environment i.e. one easily observed by others and last for the minimum time necessary.

The extent of the contact must be made clear to the parent/carer and once agreed, must be undertaken with the permission of the child/young person.

means by which information about incidents and outcomes can be easily accessed by senior management

- *make adults aware of relevant professional or school/service guidance in respect of physical contact with children and meeting medical needs of students where appropriate*
- *be explicit about what physical contact is appropriate for adults working in their setting*
- *provide staff, on a "need to know" basis, with relevant information about vulnerable students in their care*
- *make staff aware of most recent government guidance in respect of physical contact with students²¹ and meeting medical needs of children and young people in school²².*

This means that adults must:

- *treat children with dignity and respect and avoid contact with intimate parts of the body*
- *always explain to a child the reason why contact is necessary and what form that contact will take*
- *seek consent of parents where a child or young person is unable to do so because of a disability.*
- *consider alternatives, where it is anticipated that a student might misinterpret any such contact,*
- *be familiar with and follow recommended guidance and protocols*
- *conduct activities where they can be seen by others*
- *be aware of gender, cultural or religious issues that may need to be considered prior to initiating physical contact*

²¹ Section 93 of the Education and Inspections Act 2006

²² Managing Medicines in schools and early years settings: DCSF/Department of Health 2005

Contact must be relevant to their age or understanding and adults must remain sensitive to any discomfort expressed verbally or non-verbally by the child.

Guidance and protocols around safe and appropriate physical contact are provided by national school/service, for example sports governing bodies or major arts school/service, or the school employing school/service and must be understood and applied consistently. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance must be reported to the senior leader and parent or carer.

It is good practice if all parties clearly understand at the outset, what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers, students informed of the extent and nature of any physical contact may also prevent allegations of misconduct or abuse arising.

17. Behaviour Management

All students at BHSC have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour.

Adults must not use any form of degrading treatment to punish a child. The use of sarcasm, demeaning or insensitive comments towards students is not acceptable in any situation. Any sanctions or rewards used must be part of a behaviour management policy which is widely publicised and regularly reviewed.

The use of corporal punishment is not acceptable and is unlawful in schools. Whilst there may be a legal defence for parents who physically chastise their children, this does not extend, in any circumstances, to those adults who work with or on behalf of students.

Where children display difficult or challenging behaviour, adults must follow the behaviour policy outlined by their school or service and use strategies appropriate to the circumstance and situation. The use of physical intervention can only be justified in exceptional circumstances and must be used as a last resort when other behaviour management strategies have failed.

Where a child has specific needs in respect of particularly challenging behaviour, a positive handling plan may be drawn up and agreed by all parties. Only in these circumstances must an adult deviate from the behaviour management policy of the school/service.

18. Use of Control and Physical Intervention

There are circumstances in which adults working with children displaying extreme behaviours can legitimately intervene by using either non-restrictive or restrictive physical

This means that schools/services must:

- *have up to date guidance and protocols on appropriate physical contact in place that promote safe practice and include clear expectations of behaviour and conduct.*
- *ensure that staff are made aware of this guidance and that safe practice is continually promoted through supervision and training.*

This means that adults must:

- *not use force as a form of punishment*
- *try to defuse situations before they escalate*
- *inform parents of any behaviour management techniques used*
- *adhere to the school/service's behaviour management policy*
- *be mindful of factors which may impact upon a child or young person's behaviour e.g. bullying, abuse and where necessary take appropriate action*

This means that schools/services must:

- *have in place appropriate behaviour management policies*
- *where appropriate, develop positive handling plans in respect of an individual child or young person.*

This means that adults must:

- *adhere to the school/service's*

interventions. This is a complex area and adults must regard to legislation²³ and government guidance^{24,25}.

The use of physical intervention must, wherever possible, be avoided. It must only be used to manage a child or young person's behaviour if it is necessary to prevent personal injury to the child, other children or an adult, to prevent serious damage to property or in what would reasonably be regarded as exceptional circumstances. When physical intervention is used it must be undertaken in such a way that maintains the safety and dignity of all concerned

The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they may cause. The minimum necessary force must be used and the techniques deployed in line with recommended policy and practice.

Under no circumstances must physical force or intervention be used as a form of punishment. The duty of care which applies to all adults and school/service working with students requires that reasonable measures are taken to prevent children being harmed. The use of unwarranted physical force is likely to constitute a criminal offence.

In settings where restrictive physical interventions may need to be employed regularly, i.e. where adults are working with children with extreme behaviours associated with learning disability or autistic spectrum disorders, Individual care plans, drawn up in consultation with parents/carers and where appropriate, the child. Individual care plans set out the strategies and techniques to be used and those which must be avoided. Risk assessments will be carried out where it is foreseeable that restrictive physical intervention may be required.

In all cases where physical intervention is employed the incident and subsequent actions must be documented and reported. This must include written and signed accounts of all those involved, including the child or young person. The parents/carers must be informed the same day.

physical intervention policy

- *always seek to defuse situations*
- *always use minimum force for the shortest period necessary*
- *record and report as soon as possible after the event any incident where physical intervention has been used.*

This means that schools/services must:

- *have a policy on the use of physical intervention in place that complies with government guidance and legislation and describes the context in which it is appropriate to use physical intervention*
- *ensure that an effective recording system is in place which allows for incidents to be tracked and monitored*
- *ensure adults are familiar with the above*
- *ensure that staff are appropriately trained*

²³ Education and Inspections Act 2006 (93)

²⁴ The use of force to control or restrain students: non statutory guidance for schools in England (DCSF 2007)

²⁵ Screening and searching students for weapons: guidance for school staff (DCSF 2007)

19. Children and Young People in Distress

There may be occasions when a distressed child needs comfort and reassurance and this may involve physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, separation from parent etc. Adults must use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries.

Where an adult has a particular concern about the need to provide this type of care and reassurance, or is concerned that an action may be misinterpreted, this must be reported and discussed with a senior leader and parents/carers.

20. Intimate Care

Some job responsibilities necessitate intimate physical contact with children on a regular basis, for example assisting young children with toileting, providing intimate care for children with disabilities or in the provision of medical care. The nature, circumstances and context of such contact must comply with professional codes of practice or guidance and/or be part of a formally agreed plan, which is regularly reviewed. The additional vulnerabilities that may arise from a physical or learning disability must be taken into account and be recorded as part of an agreed care plan.

The emotional responses of any child to intimate care must be carefully and sensitively observed, and where necessary, any concerns passed to Headteacher or senior leaders and parents/carers.

All children have a right to safety, privacy and dignity when contact of a physical or intimate nature is required and depending on their abilities, age and maturity must be encouraged to act as independently as possible.

The views of the child must be actively sought, wherever possible, when drawing up and reviewing formal arrangements. As with all individual arrangements for intimate care needs, agreements between the child, parents/carers and the school/service must be negotiated and recorded.

21. Personal Care

Young people are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard young people and/or satisfy health and safety considerations. This supervision must be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.

Adults need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the students with whom they work.

This means the adult must:

- consider the way in which they offer comfort and reassurance to a distressed child and do it in an age-appropriate way
- be circumspect in offering reassurance in one to one situations, but always record such actions in these circumstances
- follow professional guidance or code of practice
- never touch a child in a way which may be considered indecent
- record and report situations which

This means that adults must:

- adhere to the school/service's intimate care guidelines or code of practice
- make other staff aware of the task being undertaken
- explain to the child what is happening
- consult with senior leaders and parents/carers where any variation from agreed procedure/care plan is necessary
- record the justification for any variations to the agreed procedure/care plan and share this information with parents
- ensure that any changes to the agreed care plan are discussed, agreed and recorded.

This means that adults must:

- avoid any physical contact when children are in a state of undress
- avoid any visually intrusive behaviour
- where there are changing rooms announce their intention of entering

This means that adults must not:

- change in the same place as children
- shower or bathe with children
- assist with any personal care task

22. First Aid and Administration of Medication

Health and safety legislation places duties on all employers to ensure appropriate health and safety policies and equipment are in place and an appropriate person is appointed to take charge of first-aid arrangements. Any employee may volunteer to undertake this task but it is not a contractual requirement and appropriate training will be given before an individual takes on a role which may require administering first aid or medication.

Some students may need medication during school hours. In circumstances where children need medication regularly a health care plan is drawn up to ensure the safety and protection of students and staff.

With the permission of parents, children will be encouraged to self administer medication or treatment including, for example any ointment, sun cream or use of inhalers.

If a member of staff is concerned or uncertain about the amount or type of medication being given to a student, this must be discussed with the appropriate senior colleague at the earliest opportunity. When administering first aid, wherever possible, staff must ensure that another adult is present, or aware of the action being taken. Parents must always be informed when first aid has been administered.

There must be due regard to current guidance.^{26,27}

23. One to One Situations

It is not realistic to state that one to one situations must never take place. It is however, appropriate to state that where there is a need, agreed with a senior leader and/or parents/carers, for an adult to be alone with a child or young person, certain procedures and explicit safeguards must be followed. Adults are offered training and guidance in the use of any areas of the workplace which may place themselves or children in vulnerable situations.

One to one situations have the potential to make child/young person more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one to one settings with students may also be more vulnerable to unjust or unfounded allegations being made against them. Both possibilities must be recognised so that when one to one situations are unavoidable, reasonable and sensible precautions are taken. Every attempt is made to ensure the safety and security of students and the adults who work with them.

which a child or young person can undertake by themselves

This means that schools/services must:

- *ensure staff understand the extent and limitations of their role in applying basic care and hygiene tasks for minor abrasions and understand where an injury requires more experienced intervention*
- *ensure there are trained and named individuals to undertake first aid responsibilities*
- *ensure training is regularly monitored and updated*
- *always ensure that arrangements are in place to obtain parental consent for the administration of first aid or medication*

This means that adults must:

- *adhere to the school/service's policy for administering first aid or medication*
- *comply with the necessary reporting requirements*
- *make other adults aware of the task being undertaken*
- *explain to the child what is happening.*
- *always act and be seen to act in the child's best interests*
- *report and record any administration of first aid or medication*

This means that adults must:

- *ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed.*
- *avoid meetings with a child or young person in remote, secluded areas,*
- *always inform other colleagues and/or parents/carers about the contact(s) beforehand, assessing the need to have them present or close by*
- *avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy*
- *always report any situation where a child becomes distressed or angry to a senior colleague*
- *carefully consider the needs and circumstances of the child/children when in one to one situations*

²⁶ DfES/DOH Managing Medicine in Schools and Early Years Ref 1448-2005 DCL-EN March 2005

²⁷ DfES Guidance for First Aid in School 1988.

<http://www.teachernet.gov.uk/wholeschool/healthandsafety/firstaid/>

There are occasions where managers will undertake a risk assessment in relation to the specific nature and implications of one to one work. These assessments will take into account the individual needs of the child/young person and the individual worker and any arrangements are reviewed on a regular basis.

Pre-arranged meetings with students away from the school premises are not permitted unless approval is obtained from their parent and the Headteacher or other senior colleague with delegated authority.

24. Home Visits

All work with students and parents must, wherever possible, be undertaken in the school or other recognised workplace. There are however occasions, in response to urgent or specific situations where it is necessary to make one-off or regular home visits.

A risk assessment must occur and include an evaluation of any known factors regarding the child/young person, parents and others living in the household. Risk factors such as hostility, child protection concerns, complaints or grievances can make adults more vulnerable to an allegation. Specific consideration must be given to visits outside of 'office hours' or in remote or secluded locations. Following an assessment, appropriate risk management measures must be in place before visits are agreed. Where little or no information is available, visits must not be made alone.

Where a programme of work is to be undertaken in the home an appropriate works space must be provided and a written work plan/contract must be agreed with the student and parent.

This must include: clear objectives; content; timing; and duration of sessions; ground-rules; child protection and confidentiality statements. The plan must take into account the preferences of student and parent. There must also be an agreement that the parent or other suitable adult will remain in the home throughout the session.

Where the situation is such that changes in agreed work arrangements are required, a quick assessment will be necessary to determine if the session can continue. The Headteacher or line manager must then be informed as soon as is practically possible. Emergency situations must be reported to the police or social care and to the Headteacher/parent as appropriate.

These means that adults must:

- *agree the purpose for any home visit with senior management, unless this is an acknowledged and integral part of their role e.g. home tutors*
- *adhere to agreed risk management strategies*
- *always make detailed records including times of arrival and departure and work undertaken*
- *ensure any behaviour or situation which gives rise to concern is discussed with their manager and, where appropriate action is taken*
- *never make a home visit outside agreed working arrangements*

This means that employers must:

- *ensure that they have home visit and lone-working policies of which all adults are made aware. These must include arrangements for risk assessment and management*
- *ensure that all visits are justified and recorded*
- *ensure that adults are not exposed to unacceptable risk*
- *ensure that adults have access to a mobile telephone and an emergency contact person*

25. Transporting Students

In certain situations e.g. out of school activities, staff or volunteers may agree to transport children. A designated member of staff must be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise.

Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles, with at least one adult additional to the driver acting as an escort.

There will be occasions when adults are expected or asked to transport children as part of their duties. Adults, who are expected to use their own vehicles for transporting children must ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded.

It is a legal requirement that all passengers must wear seat belts and it is the responsibility of the staff member to ensure that this requirement is met. Adults must also be aware of current legislation and adhere to the use of car seats for younger children. Where adults transport children in a vehicle which requires a specialist license/insurance e.g. PCV or LGV²⁸- staff must ensure that they have an appropriate licence and insurance to drive such a vehicle and that it is logged in school.

It is inappropriate for adults to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the attention of the line manager and has been agreed with the parents/carers.

There may be occasions where the child or young person requires transport in an emergency situation or where not to give a lift may place a child at risk. Such circumstances must always be recorded and reported to a senior leader and parents/carers.

26. Educational Visits and After-School Activities

Adults must take particular care when supervising students on trips and outings, where the setting is less formal than the usual workplace. Adults remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries.

Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Children, young people, adults and parents must be informed of these prior to the start of the trip.

This means that all school/service:

- *must have appropriate policies for transporting students*

This means that adults must:

- *ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/ or ability to drive*
- *be aware that the safety and welfare of the child is their responsibility until they are safely passed over to a parent/carer*
- *record details of the journey in accordance with agreed procedures*
- *ensure that their behaviour is appropriate at all times*
- *ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven*
- *ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified if questioned*

This means that adults must:

- *always have another adult present in out of workplace activities, unless otherwise agreed with a senior leader*
- *undertake risk assessments in line with their school/service's policy where applicable*
- *have parental consent to the activity*
- *ensure that their behaviour remains professional at all times (see section 7)*
- *never share beds with a child/students.*
- *not share bedrooms unless it involves*

²⁸ For further information see www.dvla.gov.uk

In all circumstances, those organising trips and outings must pay careful attention to ensuring safe staff/child ratios and to the gender mix of staff especially on overnight stays.

Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in activities outside the usual workplace.

27. Access to Inappropriate Images and Internet Usage

There are no circumstances that will justify adults possessing indecent images of children. Adults who access and possess links to such websites will be viewed as a significant and potential threat to children. Accessing, making and storing indecent images of children is illegal. This will lead to criminal investigation and the individual being barred from working with students, if proven.

Adults must not use equipment belonging to their school/service to access adult pornography; neither must personal equipment containing these images or links to them be brought into the workplace. This will raise serious concerns about the suitability of the adult to continue to work with children.

Adults must ensure that students are not exposed to any inappropriate images or web links. School/service and adults need to ensure that internet equipment used by children have the appropriate controls with regards to access. e.g. personal passwords must be kept confidential.

Where indecent images of children or other unsuitable material are found, the police and Local Authority Designated Officer (LADO) will be immediately informed. Adults must not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated which in itself can lead to a criminal prosecution.

28. Overnight Supervision and Examinations

There are occasions during exam periods when timetables clash and arrangements need to be made to preserve the integrity of the examination process. In these circumstances, staff may be asked to volunteer to supervise students perhaps in their own homes.

Bebington High Sports College does not endorse this practice. Where there are no staff volunteers, the examination awarding bodies allow for alternative supervisory arrangements to be made.

29. Curriculum

Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature.

a dormitory situation and the arrangements have been previously discussed with senior leader, parents and students

This means that schools/services must

- *have clear e-safety policies in place about access to and use of the internet*
- *make guidance available to both adults and students about appropriate usage.*

This means that adults must:

- *follow their school/service's guidance on the use of IT equipment*
- *ensure that children are not exposed to unsuitable material on the internet*
- *ensure that any films or material shown to students are age appropriate*

This means that:

- *a full health and safety risk assessment must have been undertaken*
- *all members of the household must have the appropriate checks made.*
- *all arrangements must be made in partnership and agreement with the student and parents/carers*
- *arrangements involving one to one supervision must be avoided wherever*

This means that adults must:

- *have clear written lesson plans*
- *take care when encouraging*

Care must be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan must highlight particular areas of risk and sensitivity and care must especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied, ie drama.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to students' questions can require careful judgement and staff may wish to take guidance in these circumstances from a senior member of staff.

Care must also be taken to abide by the governing body's required policy on sex and relationships education and the wishes of parents. Parents have the right to withdraw their children from all or part of any sex education provided (but not from the biological aspects of human growth and reproduction necessary under the science curriculum).

30. Whistle blowing

Whistle blowing is the mechanism by which adults can voice their concerns, made in good faith, without fear of repercussion.

Each employer must have a clear and accessible whistle blowing policy that meets the terms of the Public Interest Disclosure Act 1998. Adults who use whistleblowing procedure must be made aware that their employment rights are protected.

Adults must acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children may be at risk.

31. Sharing Concerns and Recording Incidents

Individuals must be aware of BHSC's school child protection procedures,(see below) including procedures for dealing with allegations against adults. All allegations must be taken seriously and properly investigated in accordance with local procedures and statutory guidance. Adults who are the subject of allegations are advised to contact their professional association.

In the event of any allegation being made, to someone other than a manager, information must be clearly and promptly recorded and reported to a senior leader without delay.

Adults must always feel able to discuss with their line manager any difficulties or problems that may affect their relationship with students so that appropriate support can be provided or action can be taken.

It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of adults working with or on behalf of students.

students to use self expression, not to overstep personal and professional boundaries

- *be able to justify all curriculum materials and relate these to clearly identifiable learning plans.*

This means that adults must not:

- *enter into or encourage inappropriate discussions about sexual activity or any behaviours which may offend or harm others*

This means that schools/services must:

- *ensure they have appropriate whistle-blowing policies in place*
- *ensure that they have clear procedures for dealing with allegations against staff which are in line with their Local Safeguarding Children Board's procedures.*

This means that adults must:

- *report any behaviour by colleagues that raises concern regardless of source*

This means that adults:

- *must be familiar with their school/service's system for recording concerns*
- *must take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the workplace*

This means that schools/services:

- *must have an effective, transparent and accessible system for recording and managing concerns raised by any individual in the workplace*

SECTION 4: CHILD PROTECTION POLICY

The Designated Senior Teacher for Child Protection is:

Miss N MacLennan Assistant Teacher Social Inclusion

In his/her absence the role will be undertaken by: **Mr B. K. Jordan Headteacher**

In the rare event of both these members of staff being absent concerns should be reported to any other Senior Teacher.

Designated Lead Teacher Child Protection training completed: **Feb 2008**

Refresher training due: **Feb 2010**

Staff training dates: whole school - November 2008 (next training due 2011)

New staff training occurs through the induction programme.

Nominated School Governor for Child Protection is: S Clarke

This policy was ratified by the Governing Body On: 17.09.09

Review date: September 2010

Making referrals

Where a child is registered at school, consultation must take place with the school's designated teacher for Child Protection who will be the most appropriate person to initiate any referral. A written record of your concerns should be made using the schools internal recording form. This should then be given to the Designated Child Protection teacher who may decide to make a referral to Central Advice and Duty Team based within Social Care.

For referral to **CADT** telephone **0151 606 2022**. (9am- 5pm) or **EDT 677 6557** (after 5pm) (see appendix 2) to speak to the Duty Social Worker. The telephone referral will need to be followed up with written confirmation on the Multi-agency referral form. (see appendices)

Introduction

Bebington High Sports College recognises its legal duty under s175 Education Act 2002 and the 1989 Children Act and takes seriously its responsibilities to protect and safeguard the interests of all children. The school recognises that effective child protection work requires sound procedures, good inter-agency co-operation and a workforce that is competent and confident in responding to child protection situations.

This procedures document provides the basis for good practice within the school for Child Protection work. It should be read in conjunction with the Wirral Local Safeguarding Board Child Protection Policies and Procedures.

These are in keeping with relevant national procedures and reflect what the Board considers to be safe and professional practice in this context. Child Protection has to be considered within professionals' wider "safeguarding" responsibilities that include a duty to co-operate under the Children Act 2004. Within the context of Every Child Matters, this takes account of the need for children "being healthy and staying safe".

These procedures aim to provide a framework which ensures that all practice in the area of child protection is consistent with stated values and procedures that underpin all work with children and young people.

This document also seeks to make the professional responsibilities clear to all staff to ensure that statutory and other duties are met in accordance with Wirral Local Safeguarding Children Board requirements and procedures.

All procedures can be found on the LSCB website :

www.wirral.gov.uk/lscb/

Underpinning values

Where there is a safeguarding issue, **Bebington High Sports College** will work in accordance with the principles outlined in the Wirral Safeguarding Children Board Child Protection procedures:

- A child's welfare is paramount. Each child has a right to be protected from harm and exploitation and to have their welfare safeguarded.
- Each child is unique. Action taken by child welfare organisations should be child-centred, taking account of a child's cultural, ethnic and religious background, their gender, their sexual orientation, their individual ability and any special needs.
- Children, parents and other carers should be made aware of their responsibilities and their rights, together with advice about the power of professionals to intervene in their family circumstances.
- Each child has a right to be consulted about actions taken by others on his/her behalf. The concerns of children and their families should be listened to and due consideration given to their understanding, wishes and feelings.
- Individual family members must be involved in decisions affecting them. They must be treated with courtesy and respect and with due regard given to working with them in a spirit of partnership in safeguarding children's welfare. Explanations by professionals to children, their families and other carers should be plainly stated and jargon-free.
- Open-mindedness and honesty must guide each stage of assessment and of operational practice and each school should follow inter-agency protocols. The strengths of individual family members, as well as their needs, should be given due consideration.
- Personal information is usually confidential. It should only be shared with the permission of the individual concerned, or unless the disclosure of confidential personal information is necessary in order to protect a child. In all circumstances,

information must be confined to those people directly involved in the professional network of each individual child and on a strict “need to know” basis.

- Sound professional practice is based upon positive inter-agency collaboration, evidence-based research and effective supervision and evaluation.
- Early intervention in providing support services under the Children’s Trust arrangements is an important principle of practice in inter-agency work for safeguarding the welfare of children.

The school will foster an ongoing culture of vigilance to maintain a safer environment for all students by:

- Ensuring that senior members of staff have undertaken the National College for School Leadership ‘Safer Recruitment’ course and are committed to working to the guidelines recommended.
- Checking the suitability of all prospective staff and volunteers during the recruitment process by checking the Independent Safeguarding Authority register of people cleared to work with children as well as carrying out a Criminal Records Bureau check.
- Formulating an induction policy and programme for new staff and volunteers with the emphasis on Safeguarding Children.
- Ensuring that the Designated Senior Teacher for Child Protection has undergone suitable training for their role and that this training is refreshed every 2 years.
- Arranging whole school staff training in Child Protection every 3 years. This training to include all staff e.g. teachers, teaching assistants, administration and caretaking staff; and anyone else who has regular contact with the students.
- Raising awareness of child protection issues and equipping children with the skills needed to keep them safe.
- Supporting students who have been abused by co-operating with other professionals (as recommended by ‘Working Together’ 2009.) to carry out our responsibilities outlined in any Child protection Plan issued at a Child Protection Case Conference.
- Establishing a safer environment in which children can learn and develop.

Establishing a safer Environment.

The school will:

- Establish and maintain an environment where children feel secure, are encouraged to talk, and are listened to.
- Ensure children know that there are adults in the school whom they can approach if they are worried.
- Include opportunities in the PSHCE and ICT curriculum for children to develop the skills they need to recognise risks and stay safe from abuse.
- Ensure every member of staff (including temporary, supply staff and volunteers) and the governing body knows the name of the Designated Senior Teacher responsible for child protection and their role in helping staff to safeguard students.

- Ensure all staff and volunteers understand their responsibilities in being alert to the signs of abuse and their responsibility for referring any concerns to the designated senior person responsible for child protection.
- Ensure that parents have an understanding of the responsibility placed on the school and staff for child protection by setting out its obligations in the school prospectus.
- Notify Wirral Social Care department if there is an unexplained absence of more than two days of a student who is the subject of a child protection plan.
- Develop effective links with relevant agencies and co-operate as required with their enquiries regarding child protection matters including attendance at case conferences and core groups.
- Keep written records of concerns about children to enable appropriate support to be targeted effectively e.g. 'Team Around the Child' meetings.
- Ensure all records are kept securely, separate from the main student file, and in locked locations.
- Develop and then follow procedures where an allegation is made against a member of staff or volunteer by contacting the Local Authority Designated Officer for allegations.

The school will endeavour to support students through:

- The content of the curriculum.
- The school ethos which promotes a positive, supportive and secure environment and gives students a sense of being valued.
- The school behaviour policy which is aimed at supporting vulnerable students in the school. The school will ensure that the student knows that some behaviour is unacceptable but that they are valued and not to be blamed for any abuse which has occurred.
- Liaison with other agencies that support the student such as Wirral Social Care, Child and Adult Mental Health Services, Education Welfare Services and the Educational Psychology Service.
- Ensuring that, when a student who is the subject of a Child Protection Plan leaves, their information is transferred to the new school within 2 weeks and that the child's Social Worker is informed that the child has moved
- After 20 days absence if a child has moved and the new school is unknown the school will post details on the 'Student to Student' register.

This policy will be reviewed annually by the nominated Governor for Child Protection and the Designated Senior Teacher for Child Protection.

Appendices

- 1. Guidance on Child Protection matters**
- 2. Telephone numbers for referral**
- 3. Useful telephone numbers**
- 4. Allegations against staff guidance**

Any other Policies mentioned in the body of the policy or that the school feels comes under the remit of safeguarding children.

Appendix 1

Guidance on 'Whether this is a Child Protection Matter'

If staff have significant concerns about any child they should make them known to the school's Designated or Deputy Designated Child Protection Teachers.

These concerns may include:

Physical abuse:

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

Emotional abuse:

Is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development? It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as over protection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying, 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, though it may occur alone.

Neglect:

Is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development? Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- Protect a child from physical and emotional harm or danger
- Ensure adequate supervision (including the use of inadequate care-givers)
- Ensure access to appropriate medical care or treatment.
- It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Sexual abuse

Involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, sexual online images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

There are three thresholds for and types of referral that need to be considered:

Is this a child with additional needs where their health, development or achievement may be adversely affected? Wirral Children and Young People's Framework says practitioners should complete a Common Assessment Framework (CAF) when:

- Age appropriate progress is not being made and the causes are unclear or
- The support of more than one agency is needed to meet the child or young person's needs.

If this is a child with additional needs discuss the issues with the CAF trained practitioner in your school, the child and parents. You will need to obtain parental consent for a CAF to be completed.

Is this child in need? s17 of the Children Act 1989 says:

- they are unlikely to achieve or maintain, or to have opportunity to achieve or maintain a reasonable standard of health or development, without the provision of services by a local authority.

- their health or development is likely to be impaired, or further impaired without the provision of such services.
- they are disabled.

Is this a child protection matter? s47 of the Children Act 1989 says:

- children at risk or who are suffering significant harm.
- children suffering the effects of significant harm
- serious health problems.

If this is a child in need, discuss the issues with the designated child protection teacher and parents. Obtain their consent for referral to First Response (see below) or any other agency.

If this is a child protection matter, this should be discussed with the designated teacher and will need to be referred to CADT by the school as soon as possible.

It is the 'significant harm' threshold that justifies statutory intervention into family life. A professional making a child protection referral under S.47 must therefore provide information which clearly outlines that a child is suffering or likely to suffer significant harm.

It is not possible to rely on one absolute criterion when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the extent of the harm suffered, the context within which it occurred and its duration.

Significant harm may also arise from a combination of significant events which are both acute and long standing and which may impair the child's physical, psychological and social development.

In order to both understand and establish significant harm, it is necessary to consider the family context, together with the child's development within their wider social and cultural environment. It is also necessary to consider any special needs, e.g. medical condition, communication difficulties or disability that may affect the child's development and care within the family. The nature of harm, in terms of ill-treatment or failure to provide adequate care also needs consideration alongside the impact on the child's health and development and the adequacy of care provided.

All staff will have training on all the above issues on induction to school and every 3 years via a Wirral LSCB validated basic 'Safeguarding Children' course.

Confidentiality

Confidentiality is an issue that needs to be understood by all those working with children, particularly in the context of child protection. This is a complex area and involves consideration of a number of pieces of legislation.

You can never guarantee confidentiality to a child as some kinds of information may need to be shared with others. A suggested form of words that may help when talking to children is as follows:

"There are some secrets I can't keep; but I promise that if someone is hurting or frightening you I will help keep you safe. I cannot do that on my own and will need to talk to about it"

Professionals can only work together to safeguard children if there is an exchange of relevant information between them. This has been recognised in principle by the courts. However, any disclosure of personal information to others, included social service departments, must always have regard to both common and statute law.

Normally, personal information should only be disclosed to third parties (including other agencies) with the consent of the subject of that information (Data Protection Act 1998 European Convention on Human Rights, Article 8).

Wherever possible consent should be obtained before sharing personal information with third parties. In some circumstances, however, consent may not be possible or desirable but the safety and welfare of the child dictate that the information should be shared.

The law requires the disclosure of confidential information necessary to safeguard a child or children. Under Section 47 of the Children Act 1989 statutory agencies have a duty to co-operate. Therefore, if the Police or Social Care/Services are conducting a Section 47 investigation under the 1989 Children Act, staff must share requested information relevant to the investigation. Legal advice should be sought if in doubt from the Legal Services Department.

Talking to and listening to children

If a child chooses to disclose, you SHOULD:

- be accessible and receptive;
- listen carefully and uncritically at the child's pace;
- take what is said seriously;
- reassure the child that they are right to tell;
- tell the child that you must pass this information on;
- make a careful record of what was said.

You should NEVER:

- take photographs or examine an injury;
- investigate or probe aiming to prove or disprove possible abuse – never ask leading questions;
- make promises to children about confidentiality or keeping 'secrets';
- assume that someone else will take the necessary action;
- jump to conclusions or react with shock, anger or horror;
- speculate or accuse anybody;
- confront another person (adult or child) allegedly involved;
- offer opinions about what is being said or about the persons allegedly involved;
- forget to record what you have been told;
- fail to pass the information on to the correct person;
- ask a child to sign a written copy of the disclosure.

For children with communication difficulties or who use alternative/augmented communication systems, you may need to take extra care to ensure that signs of abuse and neglect are identified and interpreted correctly, but concerns should be reported in exactly the same manner as for other children.

Record keeping

Well kept records are essential in situations where it is suspected or believed that a child may be at risk from harm.

Records should:

- state who was present, time, date and place;
- use the child's words wherever possible;
- be factual/state exactly what was said;
- differentiate clearly between fact, opinion, interpretation, observation and/or allegation;
- be written in ink and signed by the recorder;

Attendance at Child Protection Conferences

The Designated Child Protection Teacher or their deputy will be expected to attend the initial Child Protection Conference.

If a child is made subject to a Child Protection Plan it may be more relevant for the class teacher or head of year to attend the subsequent core group meetings.

Appendix 2

The following poster is displayed in suitable areas

Making a Referral in Wirral

- Central Advice and Duty Team Telephone: 606 2008
- Fax: 606 2002
- Secure e-mail:
cadtchildrensocialcare@wirral.gov.uk
- Emergency Duty Team
Telephone: 677 6557
- Family Crime Investigation Unit: Telephone: 777 2685



Appendix 3

Other useful telephone numbers.

Caroline McKenna - Principal Safeguarding Manager - 666 5776

Julia Hassel - Head of Branch, Child and Families, CYPD - 606 2000

Ken McKenzie – LADO (Allegations against staff) – 666 4582

Shelagh Hozack – Safeguarding Training Officer – 346 6752

Appendix 4

Protecting yourself against allegations of abuse

You should seek to keep your personal contact with children under review and seek to minimise the risk of any situation arising in which misunderstandings can occur. The following sensible precautions can be taken when working alone with children:

- work in a room where there is a glass panel in the door or leave the door open
- make sure that other adults visit the room occasionally.
- avoid working in isolation with children unless thought has been given to safeguards.
- must not give out personal mobile phone numbers or private e-mail addresses
- must not give students lifts home in your cars
- must not arrange to meet them outside of school hours
- must not chat to students on the social websites

Under the Sexual Offences Act 2003 it is a criminal offence for anyone working in an education setting to have a sexual relationship with a student even when the student is over the age of consent.

Any use of physical force or restraint against students will be carried out and documented in accordance with the relevant physical restraint policy. If it is necessary to use physical action to prevent a child from injury to themselves or others parents will be informed.

Children will not be punished by any form of hitting, slapping, shaking or other degrading treatment.

Allegations of abuse against a professional

Children can be the victims of abuse by those who work with them in any setting. All allegations of abuse of children carried out by any staff member or volunteer should therefore be taken seriously.

If an allegation is received by the Headteacher or Chair of Governors the following should be considered

- 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 s/he is unsuitable to work with children

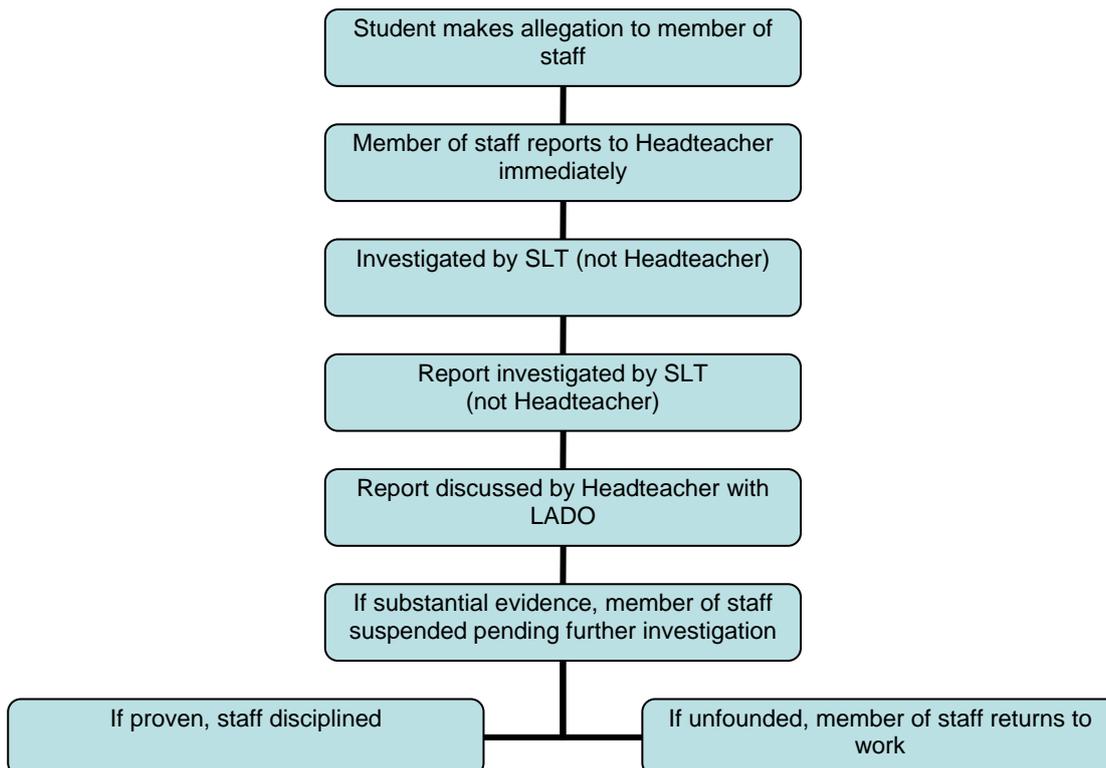
Allegations of abuse made against staff, whether historical or contemporary, should be dealt with by the Headteacher; not the designated child protection teacher in cases where this role is not undertaken by the Head (if the allegation is against the Head then it should be dealt with by the Chair of Governors). The Head / Chair should contact the Local Authority Designated Officer (LADO) Ken McKenzie - 666 4582 to discuss the allegation.

This initial conversation will establish the validity of any allegation and if a referral is needed to CADT. If this is the case a strategy meeting will be called that the Head / Chair should attend.

The decision of the strategy meeting could be:

- investigation by children's social care
- police investigation if there is a criminal element to the allegation
- single agency investigation completed by the school which should involve the Schools Senior HR advisor

The fact that a member of staff offers to resign should not prevent the allegation procedure reaching a conclusion.

FLOWCHART – ALLEGATION AGAINST A MEMBER OF STAFF

SECTION 5: BHSC SAFER RECRUITMENT POLICY

INTRODUCTION

This policy accompanies the School's *Vetting Policy*. Bebington High Sports College adheres to this policy when planning and carrying out the recruitment process.

This policy is in line with DCFS and Richard Inquiry recommendations.

JOB DESCRIPTION AND PERSON SPECIFICATIONS

Bebington High Sports College ensures that at the start of the recruitment process it defines what the post holder's responsibilities towards children will be, as well as the qualifications and experience needed to perform the job, with particular attention to their work with such vulnerable groups. To confirm the school's commitment to safer recruitment, it ensures that this statement of intent is included on all person specifications. A Recruitment and Selection Checklist is included in the appendices which assists with the whole recruitment process.

"BHSC co-operative community trust, as an aware employer, is committed to safeguarding and protecting the welfare of children and vulnerable adults as its number one priority. This commitment to robust Recruitment, Selection and Induction procedures extends to organisations and services linked to the school on its behalf".

When a post requires a CRB Disclosure, this will be reflected in the job description and person specification relating to that post. It is envisaged that due to the nature of work in schools and contact with children that all posts will require an enhanced CRB Disclosure.

All job descriptions (see Appendix 2) detail:

- Main duties and responsibilities of the post
- The postholder's specific responsibility towards the promotion and the practice of safeguarding the welfare of children that they come in to contact with through their job. The nature of the responsibility will be reflected in the person's job title and their environment.

All person specifications (see Appendix 3) detail:

- Qualifications required to do the job
- Professional Registrations (if required)
- Enhanced CRB Disclosure required
- Define the skills and competencies required
- Explore issues relating to the safeguarding of children, such as:
 - Motivation to work with children;
 - Ability to form and maintain appropriate relationships and personal boundaries with children;
 - Emotional resilience in working with challenging behaviours;
 - Attitudes to use of authority and maintaining discipline.

On the person specification, it states how these issues will be tested – e.g. application form, interview or assessment day.

All of the points on the person specification are evidenced either in a candidate's application form or through the interview and selection process.

THE ADVERT

The advert for a vacancy demonstrates the School's commitment to safer recruitment and vetting procedures, protecting every potential applicant from unfair practice and ultimately safeguarding children as much as possible. Promoting commitment to safeguarding and child protection can act as a deterrent to would-be abusers.

All adverts include the following statements are on the advert:

- School's Name (Bebington High Sports College)
- Post Title
- Hours (indicates if full or part-time)
- Grade or Scale
- Salary
- Permanent or Fixed Term (if Fixed Term the duration of the contract should be stated)
- Advert text (includes some reference to the post holder's responsibilities towards safeguarding children)
- The successful applicant will be required to apply for an enhanced disclosure from the Criminal Records Bureau. Further details can be found at www.crb.org.uk
- Closing Date

BHSC as an aware employer is committed to safeguarding and protecting the welfare of children and vulnerable adults as its number one priority

APPLICATION PACKS

The importance of safeguarding and protecting children in schools is promoted as much as possible throughout the recruitment process in order to deter unsuitable candidates.

Application pack contains:

- **Application Form is mandatory**
(recommended over CVs, as CVs will only shows what the candidate wants us to see and will not provide consistent data between candidates)
- **Job Description**
- **Person Specification M23**
- **School's Prospectus**
- **CRB – A Guide for Applicants**
- **Recruitment of Ex-offenders Policy**
- **Rehabilitation of Offenders Disclosure Form**

INTERVIEW PROCESS & PRE-EMPLOYMENT CHECKS

The interviewing process allows time for any discrepancy in a candidate's application or references to be scrutinised and clarified. With this in mind, all candidates have their qualifications verified, employment gaps explained, criminal record disclosed, reference issues and their attitude towards children discussed at interview. This means that when a candidate is successful, any issues surrounding their application and references have been fully explored before they are offered the post. Every interview should be carried out on a face-to-face basis.

References

All references are requested prior to interview and ideally received back prior to interview. We ensure that one of the referees is the candidate's current or previous employer. Open references are not acceptable if they have 'To whom it may concern' on, no date evidenced or no obvious organisation authorization as these may have been forged, or may have valuable information missing if it is out of date. All referees complete a reference pro-forma, which ensures that certain questions are asked of all our candidates. This avoids references, which may have been written as part of a compromise agreement and would not state any adverse qualities or incidents involving the candidate.

All Reference Pro-formas ask about the candidate's relationship with children in their current or previous role and if they have ever been involved in any disciplinary action concerning children.

When all references are received prior to interview, any discrepancies or issues at interview are followed up at interview. Obviously this relies entirely on the speed referees return them, this may not always allow for them to be seen prior to interview, but it is aimed for, as best practice as it complies with Bichard recommendations.

Employment Gaps

At interview, gaps in employment history are discussed with the candidate. If there are gaps in their history, the candidate must declare the reasons for their break from work.

Valid reasons for gaps in employment may be: the candidate did not need to work, travelling, bringing up a family, caring responsibilities, family bereavement or a period of sickness. As there could be more sinister reasons for an absence, BHSC ensures that the candidate is able to give as much detail as possible, in order for the panel to make an informed decision, and are in receipt of all relevant information.

All patterns of repeated change in career or employers at interview are explored, ensuring that the reasons for this are fully explored and satisfy the interview panel.

Qualification Verification

Any essential qualifications legally required to perform a particular job, such as QTS, as stated in the person specification, are evidenced by BHSC. A copy of original certificates is taken and if the candidate is successful, they are placed on their personal file and logged on the Central Record. This is confirmed at the interview stage. If the candidate is unsuccessful, they are destroyed.

Rehabilitation of Offenders Disclosure

As posts within schools are exempt from the Rehabilitation of Offenders Act 1974, BHSC encourages our shortlisted candidates to disclose any *unspent* and *spent* convictions during the application stage.

When applying for the post, candidates fill out the *Rehabilitation of Offenders Disclosure Form* and return it with their application form. If they have not sent it in with their application, BHSC asks the candidates attending the interview if they have any previous convictions either *spent* or *unspent*, *thus giving* the candidate a chance to discuss the circumstances surrounding any previous convictions they may have at interview.

Any convictions disclosed are not to be given to the Shortlisting panel prior to shortlisting. Once the panel have made a shortlist and invited them for interview, they are then made aware of any candidate's criminal disclosure. Disclosing a criminal background is not used as a reason to not shortlist a candidate. Having a criminal conviction does not necessarily bar a person from working with children and is not be used to discount applications.

If they are successful, all candidates complete a CRB Disclosure application form. Once the Enhanced CRB Disclosure Certificate is returned, any conviction information is matched up with the candidate's original disclosure to the interview panel. This information is not be kept if the candidate is not successful and is destroyed.

Commitment to Safeguarding Children

Person specifications allow schools to explore a potential candidate's views and expectations in relation to working with children. The recruiting panel seeks to identify the candidate's experience or views on the following points:

- Motivation to work with children
- Ability to form and maintain appropriate relationships and personal boundaries with children
- Emotional resilience in working with challenging behaviours
- Attitudes to use of authority and maintaining discipline

BHSC provides questions that ask candidates to draw on their experience of situations with children which gives a good impression of the candidate's understanding of the points above. It enables the panel to probe issues that the candidate may not discuss, allowing the panel to be aware of issues or lack of knowledge that a candidate may have or refuses to discuss their motivation to work within a school environment or with children.

List 99 Check

This is a list of people barred from working with children, compiled by the DfES. BHSC will check

this is done as part of the CRB Application Process and be accessed separately on the teacher's pensions website by the Children's Services staffing team. A List 99 check can be undertaken within 24 hours if necessary by staffing team.

Enhanced CRB Disclosure

This shows previous convictions held on file for a potential employee. Having a conviction will not necessarily bar someone from working in a job at BHSC with children or vulnerable adults. The severity, nature, circumstances and timing of the conviction will need to be taken into consideration. Candidates are given the opportunity at the application stage to declare any *unspent* or *spent* convictions they may have, any declaration they make will be compared with the returned criminal record disclosure. The procedure for assessing CRB Disclosure positive trace returns is detailed in the policy.

Medical Clearance

A potential employee completes a medical questionnaire, which is then assessed by our Occupational Health provider. Depending on the answers given by the candidate, Occupational Health may request an appointment to confirm fitness. A potential employee is confirmed as medically cleared once a letter has been received from Occupational Health declaring them fit for their proposed post.

Verification of Professional Registration

Some posts which require a professional registration with a regulatory body, such as the General Teaching Council etc are evidenced and placed on file, if the person specification states it as an essential prerequisite. BHSC check a teacher's GTC status when a new starter form is received.

Right to Work in the UK

It is a legal obligation that every employer in the UK verifies whether a potential employee has the right to work in the UK. BHSC supports this.

Employment History

When checking an application form, all gaps in employment or noticeable patterns when the candidate changed their employment are verified. At interview, any gaps are discussed and satisfactory explanations given and recorded. This is confirmed at the interview stage.

Overseas Criminal Record Disclosure

If the potential employee has lived abroad for a period of time or who comes from another country prior to working in the UK, then a UK CRB Disclosure will not give a full picture in respect of any criminal record they may have. In these cases, an overseas Criminal Record Disclosure is applied for as well as a UK CRB Disclosure and details for each countries' equivalent Bureau are available on the CRB website www.crb.gov.uk/default.aspx?page=2243 There is more detail about this later on in this policy.

These checks are made clear to candidates at interview. Any offer of employment is a conditional offer, subject to satisfactory clearances being received and checked by BHSC. When a decision has been made and a successful candidate notified, pre-employment checks are carried out.

When all of these checks are completed and returned, an offer of employment is confirmed.

CRIMINAL RECORD BUREAU RENEWALS OR RE-CHECKS

CRB Disclosures are only a record or a snapshot of the day they were issued. Since a Disclosure was issued staff may have new convictions or warnings that they may or may not have made the school aware of. It is BHSC policy that every member of staff has their CRB Disclosure renewed every three years (except Supply Teachers – please see below)

The process of renewal or re-checking a person's CRB Disclosure is exactly the same as when applying for an original. There is no fast track. A new *Identity Confirmation Sheet* is filled in, mainly to register any changes in address or name and then a new CRB application form is issued. A mark on the Application form is made stating that the application is a re-check, this will aid the staffing team with logging the application.

SCHOOL VISITORS

All school visitors are signed into school, given an identification badge and are accompanied by staff; it is ensured that they are not alone with students.

SUPPLY TEACHERS (employed by BHSC)

Supply Teachers are recruited and treated in the same way as any other member of staff.

Recruiting Supply Teachers are managed in the same way as any other staff, if directly employed by BHSC. This means that all appropriate pre-employment checks are carried out before their employment is confirmed.

If the Supply Teacher is mobile and does not work predominately at any one particular school in the Borough, evidence of ID is requested before that person starts work at BHSC.

Supply Teachers have their CRB Disclosure re-checked every 12 months. This is due to the casual and ad-hoc nature of their work, which may mean they do not actively work for the Borough or school for a few months at a time. If a Supply Teacher is predominately based at one school, it is recommended that, that school should organise and fund the re-check. If the Supply Teacher is mobile and only works for a few days for weeks at a time, the teacher should organise their re-check through Children's Services staffing team and fund it themselves.

PERIPATETIC TUTORS & AGENCY STAFF (including Agency Supply Teachers)

As with outside contracted staff, providing services such as music tuition, specialist sports coaching, supply teaching or specific courses that requires staff to work on school premises whilst children are in school, evidence of the necessary checks in relation to these staff are carried out.

In a school environment it is essential to carry out or have evidence of the same standard of checks for all staff working in schools and the extended provision even if they are not employed directly by the school. It is the Headteachers and Governors responsibility to ensure that these checks are being carried out. With this in mind, all outside providers should be requested to provide evidence of the same pre-employment checks that the school would complete if they were directly employing the staff themselves. This should be given in writing and in advance of the provider starting work at the school and should be agreed as part of any contract between the school and provider. **Schools have the right to view the original copy of the Disclosure from the agency if it contains additional information. Evidence of checks from external providers should be recorded on the Central Record.**

If evidence is not provided then the school does not allow the peripatetic tutors or agency staff to have unsupervised access to children. If on an exceptional basis a risk assessment can be undertaken but this **must not** be considered the norm.

As with any external provider coming on to a school's premises the school should verify their identity, the provider should be asked to show documents such as a passport or driver's licence along with company ID. The school should be given the names of expected guests or outside providers in advance of their arrival on site. The school should be very clear that the named individual is who they say they are.

CONTRACTORS

A List 99 check is completed by Hochtief before a Contractor is allowed to start work at BHSC. A CRB Enhanced Disclosure may be required under certain conditions. Ideally contractors should try and work outside of opening hours for such establishments, if this is not practicable then the following guidelines should be consulted.

Building Contractors

Children are not allowed in areas where builders are working for Health and Safety reasons, so there is little opportunity for workers to be unsupervised with children. It is difficult to say that there will not be times when contact with a child occurs. To accommodate for this, all projects with

contractors who may come into contact with children on site during opening hours in an establishment undergo a CRB Enhanced Disclosure. This clearance is stated in any contract struck and/or tendered between a Wirral Borough Council School and paid for by the agreed contracted company. WBC can act as an umbrella body, but a charge will be levied on the company and work should not commence before the Disclosure has been received. Building Contractors who are most likely to come into the school and potentially engage with children are site managers, who will liaise with the Headteacher or Site Manager.

Maintenance Contractors (Wirral Borough Council Employees)

In cases where a Council employee is contracted out to an establishment caring for children, they are most likely to be working unsupervised during their visits. The Directorate where the maintenance employees are based provide BHSC with a CRB Disclosure and List 99 clearance, or written evidence, signed to prove that the appropriate checks have been carried out (CRB Disclosure, List 99 and ID verification).

Contracted Staff (Agency staff)

BHSC ensures that any agencies used, follows the same standard of safe recruitment checks as BHSC and Wirral Borough Council. This is evidenced in writing by the agency.

The Headteacher or delegated officer also ensures that the recruitment checks have been completed prior to their start day in the same way as they would their own staff. Safe recruitment checks must be part of the contract agreement between establishments with children and the Agency.

Emergency Call-Out Contractors (not previously checked by the school)

Contractors that are called out in an emergency may not be a contractor that is checked and known to the BHSC prior to the 'call-out'. It is not necessary to obtain a CRB Disclosure for such staff, as they will only have contact with children on an ad hoc or irregular basis and are unlikely to be left unsupervised with children. All emergency call-out contractors must sign in or out in the visitor log at Reception and escorted by a CRB cleared member of staff at all times.

Any contractor, maintenance worker or agency staff coming on to a school's premises must verify their identity, providing documents such as a passport or driver's licence along with company or council ID. BHSC makes every effort to ensure the school is very clear that the named individual is who they say they are.

VOLUNTEERS

All volunteers are enhanced CRB checked prior to the volunteer starting duties within BHSC. Two references on behalf of the volunteer are also verified. These checks are carried out for all volunteers and not just for those unknown to the school. CRB Disclosures are re-checked as with other staff every three years.

If a Volunteer becomes a paid employee, then their right to work in the UK is assessed. A new Enhanced CRB Disclosure is requested to reflect their change to an employee. If assisting on a one-off school trip, a volunteer does not require a CRB Disclosure, but is supervised at all times.

GOVERNORS

School Governors are only subject to an Enhanced CRB Disclosure if:

- In undertaking their role they care for, train, supervise or are in sole charge of children;
- If their actions provide *cause for concern*;

Governors who serve on a few governing bodies within the local authority will only require one Enhanced CRB Disclosure (if applicable) for all of the schools they work with. This will need to be re-applied for after three years, in line with the renewal policy. If a member of staff from a WBC school serves as a Governor at another WBC school and they have a current Enhanced CRB Disclosure with their own school they do not require a new CRB for their role as a Governor. However Governors must be prepared to show each school a copy of their CRB at their first meeting.

FOREIGN LANGUAGE ASSISTANTS

All assistants working in the UK will need to provide a police clearance from their home country however, they must by law receive a CRB clearance. This must be undertaken by the host school and is best started once the assistant has arrived in the UK and presented themselves for work. We do not require sight of their home countries police clearance. BHSC will also require photo verification and confirmation of place of abode.

WORK EXPERIENCE AND PLACEMENTS

Secondary students completing a two-week placement do not require the same checks that a Teacher training or PGCE student requires to carry out their placement. There also needs to be consideration placed upon the environment secondary students are placed into in the wider world and the employees supervising the students during this period.

Secondary or College Students placed in a School, College or Nursery

These students will be supervised at all times during their placement and will not need an Enhanced CRB Disclosure. The school organising the placement should ensure that the student is suitable for the placement environment²⁹. Once again an ID check should be carried out to establish that the student who has arrived for the placement is who they say they are.

Teacher or Teaching Assistant Training Students

The Schools, Universities or FE Colleges must provide evidence in writing to BHSC (in the same way as a Supply Agency would do) that they have carried out all the same checks that the schools would have done if they were their own staff (including CRB Disclosure, Identity check etc)

Secondary Students placed in environments other than schools

It is important to make businesses or organisations who take on secondary students for work experience of their vulnerability during such placements. It is impossible to CRB clear all staff who work with such students, but awareness of the potential risks needs to be assessed.

BHSC will make students being placed aware of the risks. A quick briefing or leaflet explaining what to do if they feel uncomfortable in someone else's company and who they can talk to about it, giving the school's contact details should be sufficient. These concerns may be obvious to teachers, but students may need to be made aware of professional boundaries and what is considered appropriate e.g. accepting a lift home, giving away personal email addresses.

CENTRAL RECORD

BSCH keeps a Central Record of all staff that provides confirmation that relevant checks have been taken such as:

- Verification of Identity (Name/D.O.B /Address)
- Qualifications (Qualifications required to do the job and any professional registrations required)
- List 99
- CRB Disclosure
- Right to work in the UK (Asylum & Immigration Check)
- Overseas Criminal Record Checks (applicable for any employee who has spent a period of time abroad)

This record is complete for all staff in schools and it is available for Ofsted and HMI Inspectors. Schools have been given guidance and information by the DfES about setting up such a record.

BICHARD ONLINE TRAINING

²⁹ DfES *Safeguarding Children and Safer Recruitment in Education* – pg 41 2006

The National College of School Leadership (NCSL) have produced online training for Schools and Local Authorities on the process of Safer Recruitment. This has been essential training for Headteachers in all schools and also for a nominated Governor or other appropriate staff member.

Currently trained are: Headteacher, Both Deputy Headteachers, Chair of Governors, One other governor.

WEBSITE LINKS

Please find below useful websites on safer recruitment or child protection:

- **National College for School Leadership** (home of Bichard Online Training)
www.ncsl.org.uk/saferrecruitment
- **Safeguarding Children and Safer Recruitment in Education 2006** (DfES Guidance which came into force January 2007, guidance from this publication has been used in this pack)
Copies can be downloaded or ordered from this link:
www.teachernet.gov.uk/publications
- **Every Child Matters**
www.everychildmatters.gov.uk
- **DfES**
www.teachernet.gov.uk/childprotection
- **Chartered Institute of Personnel and Development**
www.cipd.co.uk
- **General Teaching Council**
www.gtce.org.uk
- **The Office for Standards in Education (Ofsted)**
www.ofsted.gov.uk
- **Criminal Records Bureau (CRB)**
www.crb.gov.uk or www.disclosure.gov.uk
- **CRB Tracking Service**
www.crb.gov.uk/tracking
- **School Governors Website** (type pre-appointment into search bar)
www.governornet.co.uk
<http://www.dfes.gov.uk/governor/index.cfm>
- **Bichard Inquiry**
www.bichardinquiry.org.uk
- **Foreign Language Assistants**
www.languageassistant.co.uk

APPENDIX 1 - CERTIFICATE OF

VERIFICATION OF IDENTITY

TO ACCOMPANY APPLICATION FORM AND THE REQUEST TO APPOINT THE INDIVIDUAL

SUCCESSFUL CANDIDATE:

POST:

SCHOOL:

With effect from I confirm that I have seen the following original documents and have retained for record purposes a copy on their school file.

ALL OF THE FOLLOWING:

Date of Birth – from Birth Certificate/Passport/Driving License □□/□□/□□□□

National Insurance No – from P45 or P60 □□□□□□□□□□

	YES	NO
Birth Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Marriage Certificate (if appropriate)	<input type="checkbox"/>	<input type="checkbox"/>

ONE OR BOTH OF THE FOLLOWING if the candidate possesses them:

Passport	<input type="checkbox"/>	<input type="checkbox"/>
Driving Licence: photocard	<input type="checkbox"/>	<input type="checkbox"/>

ANY TWO OF THE FOLLOWING – confirming name and address

Recent Utility Bill	<input type="checkbox"/>	<input type="checkbox"/>
Recent Credit Card Statement	<input type="checkbox"/>	<input type="checkbox"/>
Recent Bank Statement	<input type="checkbox"/>	<input type="checkbox"/>
Recent Mortgage Statement	<input type="checkbox"/>	<input type="checkbox"/>
Recent Insurance Statement	<input type="checkbox"/>	<input type="checkbox"/>

RELEVANT DOCUMENTS as specified by the Headteacher

	(If teaching staff, must include:)	
Academic Qualifications – list	PGCE	<input type="checkbox"/>
	Degree	<input type="checkbox"/>
Professional Qualifications – list	QTS	<input type="checkbox"/>
	Induction Certificate	<input type="checkbox"/>
Other – state	Skills Test Results	<input type="checkbox"/>
	Performance Mgt	<input type="checkbox"/>
Referees x 2	Certificate and/or other	<input type="checkbox"/>
	Confirmation (threshold etc)	<input type="checkbox"/>
	Proof of current UPS	<input type="checkbox"/>
	(if applicable)	

Signed Date

Position

APPENDIX 2 – SAMPLE M23

Employee Specification form		 M23	
Post:		Pay Scale:	
Personable Attributes			
	Essential	Stage Identified	Desirable
Qualifications			
Experience			
Knowledge and Skills			
Special Requirements	<ul style="list-style-type: none"> • Excellent relationships with students • Sense of Humour • Enhanced CRB • Accepted verification of identity check 		

APPENDIX 3 – SAMPLE JOB DESCRIPTION**BEBINGTON HIGH SPORTS COLLEGE****JOB DESCRIPTION**

Post Title:	TEACHER
Purpose:	<ol style="list-style-type: none"> 1. To carry out the professional duties of a school teacher as circumstances may require, under the reasonable direction of the Headteacher. 2. To perform in accordance with any directions which may reasonably be given to him/her by the Headteacher from time to time, such particular duties as may reasonably be assigned to him/her. 3. To implement and deliver an appropriately broad, balanced, relevant and differentiated curriculum for students and to support a designated curriculum area/subject as appropriate. 4. To monitor and support the academic and social development of students as a teacher/form tutor. 5. To facilitate and encourage a learning experience which provides students with the opportunity to achieve their individual potential. 6. To contribute to raising standards of student achievement. 7. To share and support the school's responsibility to provide and monitor opportunities for personal and academic growth.
Reporting to:	Assistant Leader of subject Leader for Learning & Teaching
Responsible for:	The provision of a full learning experience and support for students.
Liaising with:	Head/Deputies/Assistant Headteachers, teaching/support staff, Year Manager, SEN and Inclusion and other relevant personnel, agencies and parents.
Working time:	<ol style="list-style-type: none"> a. A teacher employed full-time shall be available for work for 195 days in any year, of which 190 days shall be days on which he/she may be required to teach students in addition to carrying out other duties; and those 195 days shall be specified by his employer or, if the employer so directs by the Headteacher. b. Such a teacher shall be available to perform such duties at such times and such places as may be specified by the Headteacher for 1265 hours in any year, those hours to be allocated reasonably throughout those days in the year on which s/he is required to be available for work. c. Time travelling to or from the place of work shall not count against the 1265 hours referred to above. d. A teacher shall not be required to under his/her contract to undertake midday supervision, and shall be allowed a break of reasonable length either between school sessions or between the hours of 12 noon and 2.00 pm. e. A teacher shall, in addition to the requirements above, work such additional hours as may be needed to enable him/her to discharge effectively his/her professional duties, including, in particular, the marking of student's work, the writing of reports on students and the preparation of lessons, teaching materials and programmes. The amount of time required for the purpose beyond 1265 specified hours

	<p>referred to above and the times outside 1265 hours at which duties shall be performed shall not be defined by the employer but shall depend upon the work needed to discharge the teachers' duties.</p> <p>f. In this section 'year' means a period of 12 months commencing on 1 September unless the school's academic year begins in August in which case means a period of 12 months commencing on 1 August.</p>
Salary/Grade:	M1-M6
Disclosure Level:	Enhanced
CORE DUTIES AND RESPONSIBILITIES	
Operational/Strategic Planning:	<ul style="list-style-type: none"> To assist in the development of appropriate syllabuses, resources, schemes of work, marking and homework policies and teaching strategies in the Curriculum Area & Department. To contribute to the Curriculum Area and Department's Development Plan and its implementation. To plan, prepare courses and lessons and carry out relevant assessment. To contribute to the whole school's planning activities.
Curriculum Provision:	<ul style="list-style-type: none"> To assist all Leaders of Learning & Teaching to ensure that the curriculum area provides a range of teaching which complements the school's strategic objectives.
Curriculum Development:	<ul style="list-style-type: none"> To assist in the process of curriculum development and change so as to ensure the continued relevance to the needs of students, examining and awarding bodies and the school's Strategic Objectives.
Staffing:	<ul style="list-style-type: none"> To take part in the school's staff development programme by participating in arrangements for further training and professional development.
Staff Development:	<ul style="list-style-type: none"> To continue personal development in the relevant areas, including subject knowledge and teaching methods. To engage actively in the Performance Management Review process. To ensure the effective/efficient deployment of classroom support.
Recruitment/ Deployment of Staff	<ul style="list-style-type: none"> To work as a member of a designated team and to contribute positively to effective working relations within the school.
Quality Assurance	<ul style="list-style-type: none"> To help to implement school quality procedures and to adhere to those. To contribute to the process of monitoring and evaluation of the curriculum area/department in line with agreed school procedures, including evaluation against quality standards and performance criteria. To seek/implement modification and improvement where required. To review methods of teaching and programmes of work. To take part, as may be required in the review, development and management of activities relating to the curriculum, organisation and pastoral functions of the school.
Management of	<ul style="list-style-type: none"> To maintain appropriate records and to provide relevant accurate and up-to-date information for SIMS registers etc.
a) Information	<ul style="list-style-type: none"> To complete the relevant documentation to assist in the tracking of students.
b) Resources	<ul style="list-style-type: none"> To track student progress and use information to inform learning and teaching.
Communications:	<ul style="list-style-type: none"> To communicate effectively with the parents of students as appropriate. Where appropriate, to communicate and co-operate with persons or agencies outside the school. To follow agreed policies for communications in the school.

<p>Marketing Liaison</p> <p>Marketing Resources</p> <p>Student Progress System and reporting</p>	<ul style="list-style-type: none"> • To take part in marketing and liaison activities such as Open Evenings, Parents Evenings, Celebration Evenings and liaison events with partner schools. • To contribute to the development of effective subject links with external agencies. • To contribute to the process of the ordering and allocation of equipment and materials. • To assist the Leaders of Learning & Teaching to identify resource needs and to contribute to the efficient/effective use of physical resources. • To be a Form Tutor to an assigned group of students. • To promote the general progress and well-being of individual students and of the Form Tutor Group as a whole. • To liaise with a Year Manager to ensure the implementation of the school's Student Progress System. • To register students, accompany them to assemblies, encourage their full attendance at all lessons and their participation in other aspects of school life. • To evaluate and monitor the progress of students and keep up to date student records as may be required. • To contribute to the preparation of Action Plans, progress files and other reports. • To alert the appropriate staff to problems experienced by students and to make recommendations as to how these may be resolved.
	<ul style="list-style-type: none"> • To communicate as appropriate, with the parents of students and with persons or bodies outside the school concerned with the welfare of individual students, after consultation with the appropriate staff. This may require participating in meetings arranged for any purpose which affects student progress. • To contribute to PSHCE and Enterprise according to school policy. • To apply the agreed Behaviour Policy so that effective learning can take place. • Provide guidance and advice to students on educational and social matters and on their further education and future careers, including information about sources of more expert advice on specific questions, making relevant reports and records. • To teach students according to their education needs, including the setting and marking of work to be carried out by the student in school and elsewhere. • To assess, record and report on the attendance, progress, development and attainment of students and to keep such records as are required. • To provide, or contribute to, oral and written assessments, reports and references relating to individual students and groups of students. • To ensure that ICT, Literacy, Numeracy and school subject specialism(s) are reflected in the learning/teaching experience of students. • To undertake a designated programme of teaching. • To ensure a high quality learning experience for students which meets internal and external quality standards. • To prepare and update subject materials. • To use a variety of delivery methods which will stimulate learning appropriate to student needs demands of the syllabus and in accordance with developing learning and teaching strategies at KS3, 4 & 5. • To develop an encouragement and reward culture.

Student Progress Teaching	<ul style="list-style-type: none"> • Ensuring that the departmental rooms present a stimulating environment, that displays are of a high standard, regularly maintained and regularly changed using the relevant support in school. • To maintain discipline in accordance with the school's procedures, and to encourage good practice with regard to punctuality, behaviour, standards of work and homework. • To undertake the assessment of students as requested by external examination bodies, departmental and school procedures. • To mark, grade and give written/verbal and diagnostic feedback as required.
Cover:	<ul style="list-style-type: none"> • Supervising and, so far as practicable, teaching students whose teacher is not available to teach them, provided that no teacher shall be required to provide cover: <ul style="list-style-type: none"> a) after the teacher who is absent or otherwise not available has been so for three or more consecutive working days or b) where the fact that the teacher would be absent or otherwise not available for a period exceeding three consecutive working days was known to the school for two or more days before the absence commenced, unless: <ul style="list-style-type: none"> (i) s/he is a teacher employed wholly or mainly for the purpose of providing such cover (supply teacher) or (ii) the school/governing body (as the case may be) have exhausted all reasonable means of providing a supply teacher to cover without success or (iii) s/he is a full time teacher at the school but has been assigned by the Headteacher in the timetable to teach or carry out other specified duties (except cover) for less than 75% of those hours in the week c) Shall cover no more than 38 hours per year.
Public Examinations:	<ul style="list-style-type: none"> • Participating in arrangements for preparing students for public examinations and in assessing students for the purpose of such examinations, recording and reporting such assessments and participating in arrangements for such examinations.
Other Specific Duties:	<ul style="list-style-type: none"> • To play a full part in the life of the school community, to support its distinctive mission and ethos and to encourage staff and students to follow this example. • To support the school in meeting its legal requirements for worship. • To promote actively the school's corporate policies. • To continue personal development as agreed. • To comply with the school's Health & Safety Policy and undertake risk assessments as appropriate.
<p>Whilst every effort has been made to explain the main duties and responsibilities of the post, each individual task undertaken may not be identified. Employees will be expected to comply with any reasonable request from a manager to undertake work of a similar level that is not specified in this job Description. Employees are expected to be courteous to colleagues and provide a welcoming environment to visitors and telephone callers.</p> <p>The school will endeavour to make any necessary adjustments to the job and the working environment to enable access to employment opportunities for disabled job applicants or continued employment for any employee who develops a disabling condition.</p> <p>This job description is current at the date shown, but following consultation with you, may be changed by Leadership to reflect or anticipate changes in the job which are commensurate with the salary and job title.</p>	
<p>Signatures:</p> <p>Teacher Date</p> <p>Headteacher..... Date</p>	

APPENDIX 4 – APPLICATION FORM – TEACHING**Children & Young People's Department****Application for Appointment to a Teaching Post**Please complete in **Black Ink** in **BLOCK CAPITALS****1. Post Information**

Position applied for:	
Name of School:	

2. Personal Details

Title:		First Name(s):		Last Name:	
Previous Surname(s) – (if applicable):					
Address:					
Post Code:		Tel No:		Mobile No:	
				Email:	
National Insurance No:		GTC No:			

3. Current Post Details

Present Post:		Present Salary & Pay Spine	
Present School:			
Present Local Authority:			
Date from:		Date to:	
		Full or Part Time:	
No on Roll:		Boys/Girls/Mixed:	
Subject(s) or Key Stage:			

4. Academic & Professional Qualifications -

School/College	Qualification obtained (Class & Division if appropriate)	Subject(s)
University		

5. Employment Teaching History

In chronological order please, starting with the earliest. Include unpaid activities such as parenting, voluntary work and teaching practice if you are a student. If the school is not maintained by an LA, please put 'Independent', Trust, Foundation, Academy etc. – (continue on a separate sheet if necessary)

Post	Full Time or Part Time	Name of School	Name of LA	No on Roll (Boys/Girls /Mixed)	Ages & Subjects	Dates	
						To	From

6. Other Full Time Employment

Full Time employment from the age of 18 years (if any) or service in HM Forces – (continue on a separate sheet of necessary)

Employers Name	Address	Nature of Employment	Dates	
			From	To

7. Other Part Time Employment or Experience

Examples include Further Education, voluntary work, Youth Service, Vocational, etc

Post/Status	LA/Responsible Body	Dates	
		From	To

12. Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act (Exemption) Order 1975

The provision under the above legislation relating to non-disclosure of spent convictions does not apply to any employment as a teacher in a school or any other employment which is carried out wholly or partially within the precincts of a school, being employment of such a kind as to enable the holder to have access to persons under the age of 18 in attendance at the school in the course of his or her normal duties.

You must, therefore, give information concerning **any previous convictions or cautions**, whether or not they are "spent" within the meaning of the Act.

Failure to disclose **any conviction or caution** could lead to an application being rejected or may later lead to the dismissal of a successful applicant.

Please note that only motoring fixed penalties are not convictions under the Law and, therefore, do not need to be declared.

Previous Convictions or Cautions			
Offence	Date	Outcome	
Signed		Date	

13. Canvassing

Canvassing members of the committee or the Governors of the respective schools, both directly or indirectly, is forbidden and will disqualify applicants.

A candidate for any appointment under the Council shall when making application, disclose whether he or she is related to:

- a member of the Council;
- a Senior Officer employed by the Council;
- a person employed by the Local Authority;
- a governor of the school.

A candidate who fails to disclose any such relationship shall be disqualified from the appointment and if appointed, shall be liable to dismissal without notice.

Are you related to any member or employee of the Metropolitan Borough of Wirral? – (please tick)		Yes	No
What is the relationship?			

14. Application Validation

I certify that the information I have given is correct and that I agree to obtain an Enhanced Level CRB Disclosure via the Local Authority as and when necessary.

Signed:		Name		Date	
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15. Interview

If you do not hear from us within six weeks of the closing date, please assume that your application has not been successful. You will find the closing date in the advertisement.

Children & Young People's Department**SUPERANNUATION**

1. Do you currently contribute to a Superannuation/Pension Scheme? Yes No
- a. If yes which Scheme is it?

- b. If Teachers' Superannuation, please indicate any special provisions applicable (eg WIDOWERS BENEFIT)

2. If you have changed schemes, name of previous scheme and date of change:

3. Have you made a valid election for part-time service to be Superannuable?
Yes No if Yes – state date _____
4. National Insurance Number: _____

MONITORING OF APPOINTMENTS FOR EQUAL OPPORTUNITIES

The Council operates a policy of equal opportunity. To assist the monitoring of this policy and for that purpose only, please provide the following details							
SEX	DATE OF BIRTH	MARITAL STATUS	NATIONALITY				
ETHNIC ORIGIN – PLEASE TICK ONE							
White	British		Mixed	White & Black-Caribbean			
	Irish			White & Black-African			
	Other*			White & Asian			
				Other*			
Asian or Asian-British	Indian		Black or Black-British	Caribbean			
	Pakistani			African			
	Bangladeshi			Other*			
	Other*						
Chinese	Chinese		* - Other Definition				
	Other*						
Are you disabled?	Yes / No	Details					
If Registered Disabled	Registration No:		Expiry Date:				

Children & Young People's Department**MEDICAL FITNESS OF TEACHERS****THE EDUCATION (TEACHERS') REGULATIONS 1982**

With reference to your application for a teaching post with this Authority. In order to assist me in establishing that you are medically suitable and satisfy the health standards required, I should be grateful if you would kindly answer the questions set out below. The information provided will be treated with the strictest confidence and used only to determine whether it will be necessary to refer you for a medical examination prior to confirming your appointment with this Authority.

*- delete as appropriate

Name in Full (Mr/Mrs/Miss)		
1.	Has there been any cause for concern regarding your health during the period of employment with your present or most recent Authority?	Yes / No *
2.	Has a medical examination been required at any time in connection with this employment?	Yes / No *
If the answer was "YES" to question No 2 above, was the medical requested on:		
3.	a) Appointment	Yes / No *
	b) Following a Special Referral during your appointment	Yes / No *
4.	What was the result of such an examination?	
<p>I declare to the best of my knowledge and belief, all statements contained in the above answers are correct and I understand and acknowledge that should I conceal and material fact I will be liable to the termination of my contract of service, with such notice as may be appropriate and may be refused benefits under the sickness payments and superannuation schemes</p> <p>I consent to undergo a medical examination or examinations if required to do so and have no objection to the Authority's Occupational Health Consultant communicating with my own doctor or obtaining any hospital records concerning my health or medical history.</p>		
Signed		Date

Introduction

Disclosure of Criminal Records

Local Authorities have access to criminal records for those potential employees whose posts would involve responsibility for children and/or other vulnerable groups or posts which are also exempt from the Rehabilitation of Offenders Act 1974. This is referred to as a Disclosure.

If a post is subject to a Disclosure, it will be stated in the vacancy advertisement and which level applies. A Disclosure Application form will only be given to individuals who are offered an appointment.

This Policy explains the purpose of Disclosure, what candidates for employment must disclose; how disclosed information will be considered and how it will affect employment; and who will consider this information. It also indicates how Disclosed information will be handled and destroyed.

Purpose of Disclosure

The purpose of Disclosure is to facilitate safe recruitment decisions. It will help to prevent unsuitable people having access to jobs and positions that provide opportunity to harm children and vulnerable adults. It will provide information to help recruiters make more informed decisions about the suitability of those seeking work in positions of trust.

Types of Disclosure

There are three levels of Disclosure:

Basic

These are available for all types of employment and voluntary positions not covered by the higher-level Disclosure. This level of Disclosure contains details of convictions considered 'unspent' under the Rehabilitation of Offenders Act (ROA) 1974 and held on the Police National Computer. The Basic Disclosure is applied for by, and issued only to, the individual concerned. It is then the individual's choice whether they show the Disclosure to an employer. It is non job-specific and may be used more than once.

Standard

These are primarily for posts that involve working with children or vulnerable adults. Standard disclosure may also be issued for people entering certain professions, such as members of the legal and accountancy professions.

The Standard Disclosure contains details of all convictions held on the Police National Computer including current and 'spent' convictions as well as details of any cautions, reprimands or final warnings.

If a position involves working with children, the Disclosure will indicate whether information is held on government department lists, held by the Department of Education & Skills and the Department of Health, of those who are banned from working with children. The Disclosure also includes information held by the DH of those considered unsuitable to work with vulnerable adults.

Enhanced

These are for posts involving a far greater degree of contact with children or vulnerable adults. In general the type of work will involve regularly caring for, supervising, training or being in sole charge of such people. Examples include a teacher, scout or guide leader. Enhanced Disclosures are also issued for certain statutory purposes such as gaming and lottery licences.

This level of Disclosure involves an additional level of check to those carried out for the Standard Disclosure. An Enhanced Disclosure includes a check on local police records. Where local police records contain additional information that might be relevant to the post the applicant is being considered for, the Chief Officer of Police may release information for inclusion in an Enhanced disclosure. Exceptionally, in a very small number of circumstances (typically to protect the integrity of current police investigations), additional information may be sent under separate cover to the Counter-signatory and will not be revealed to the applicant.

What must candidates for employment disclose?

Anyone applying for a post where disclosure applies is required to disclose the detail of all convictions on record (including 'spent' convictions – ie. those that happened some time ago and normally no longer need to be revealed as specified in the Rehabilitation of Offenders Act 1974), plus details of any cautions, reprimands or warnings.

How will this affect employment?

Past convictions will not necessarily be a bar to obtaining a position.

If you have past convictions and disclose them consideration will be given to the nature of the offence stated and its relevance to the post applied for. This will be considered by Registered Officers of the Council who specialise in the area of employment concerned. Disclosure will only affect you obtaining employment where the particulars of the offence make you an unsuitable candidate.

The Registered Officer will consider the following:

Whether the convictions or other matters revealed is relevant to the position in question,

The seriousness of any offence revealed,

The length of time since the offence or other matters occurred,

Whether the applicant has a pattern of offending behaviour or other relevant matters,

Whether the applicant's circumstances have changed since the offending behaviour or other relevant matters

The failure to disclose such convictions could, however, be seen as a deliberate attempt to gain employment by deception, and as such would result in the withdrawal of any offer of employment.

Will a candidate be given the opportunity to explain?

Any matters revealed by disclosure that will affect a recruitment decision will be discussed with the candidate prior to a decision being made. Ultimately, it is the responsibility of the Registered Officer(s) to decide whether to offer the candidate a position.

How will the information disclosed by an applicant be checked?

If a candidate is successful in their application for a post requiring disclosure, they will be required to authorise the Authority to apply for disclosure of information from the Criminal

Records Bureau (CRB). This authorisation must be given at the time the application is made. No check will be made, however, until an appointment is offered.

The CRB is a Central Government Agency, which provides information on criminal records. The application for disclosure is made and paid for by the Authority to the CRB, who undertake to issue a response as quickly as possible. The response is in the form of a certificate of disclosure.

As part of its agreement with the CRB the Authority conforms to the Code of Practice it publishes regarding disclosure of convictions. The Code of Practice is available at www.disclosure.gov.uk or a copy will be sent to you upon request.

How secure is Disclosed information?

Disclosure contains sensitive personal data, which must be handled carefully, and only by those in the organisation who are entitled to see them in the course of their duties, ie. the Registered Officers.

As part of the agreement for access the CRB will provide information at the request of, and to, specific officers, who are registered with them by the Authority, referred to as Registered Officers.

The Registered Officers must store disclosure and other confidential documents issued in secure conditions. Documents must be kept in lockable and non-portable containers. Keys or combinations for such storage units must not be freely available within the organisation and access must be restricted to named individuals.

The Authority's Licensing Officer is also registered for Disclosure in respect of applications for Hackney Carriage and Private Hire Licences.

It is an offence to disclose information provided by the Criminal Records Bureau.

How long is information retained?

Once a recruitment decision has been made the certificate and associated correspondence will be retained for a maximum of six months. This period allows for any disputes about the accuracy of a certificate or a recruitment decision to be made and considered. In the case of a dispute, certificate information may be retained for a period of six months after resolution of the dispute. The usual conditions in respect of storage and access remain in place during this period.

Disclosures will be destroyed by suitable secure means, ie. shredding, pulping or burning. They should not be kept in any insecure receptacle (eg waste bin or confidential waste sack) whilst awaiting destruction.

No photocopy or other image of the disclosure may be retained nor must any copy or representation of the contents be made or kept. A record of the date of a Disclosure, the name of the subject, the type of Disclosure, the position in question, the unique number issued by the Bureau and the recruitment decision taken will be retained.

Children & Young People's Department

NOTES OF GUIDANCE ON COMPLETING THE APPLICATION

Equal Opportunities

The Metropolitan Borough of Wirral, Children & Young People's Department considers the fair provision of services and opportunities to all those it services and employs, irrespective of sex, creed, marital status, race disability, age and sexual orientation, to be a fundamental importance to the Department's well being. (The Local Authority respects the rights of governing bodies of voluntary aided schools to recruit staff of a particular creed and faith in line with the school's ethos).

The policy applies to potential and actual workers and relates to all aspects of employment, including recruitment, pay, terms and conditions of service, promotion, training, transfer, grievance and disciplinary procedures, and to the arrangements made for working in the Authority.

The Authority is implementing its policies through:-

- Improving recruitment & selection procedures
- Training
- Monitoring results

NB: The section "Monitoring of Appointments for Equal Opportunities" does not form part of the application but will be used by the Authority for general monitoring purposes.

Completing the Application Form

Decisions about who will be selected for interview will be based on the information you give in the application form. Therefore, all Sections of the application form should be completed.

You are invited to submit a letter of application and to keep this to a reasonable length. Consideration as to appointment or interview will be based upon a completed form and letter of application. This will provide the Authority with all the necessary information.

If you are not very experienced at completing application forms the following suggestions may be of help:-

Look carefully at the application form - ask yourself why you are interested in the job.

- Think about your experiences and how you can demonstrate that you have the skill, knowledge and experience necessary.
- Unpaid work and work at home can be just as important as paid work.
- When you make your case for the job, make sure your application relates to the job you are applying for. Copying the same application for and letter for a series of jobs often creates a poor impression.
- Preparing a first draft will improve your application.
- Read each Section carefully, and provide all the information requested.
- Check that all the dates are correct and in the order requested.
- Ensure that Sections 12-14 are completed fully and signed appropriately.
- If the form is submitted electronically, you will be asked to sign your application if you are selected for interview when you attend. Refusal to sign the application will result in your application being rejected.

CERTIFICATE OF VERIFICATION OF IDENTITY

NAME:

POST:

SCHOOL:

*****PLEASE BRING THE FOLLOWING DOCUMENTATION WITH YOU ON ARRIVAL*****

ALL OF THE FOLLOWING:

Date of Birth – from Birth Certificate/Passport/Driving License □□/□□/□□□□

National Insurance No – from P45 or P60 □□□□□□□□□□

	YES	NO
Birth Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Marriage Certificate (<i>if appropriate</i>)	<input type="checkbox"/>	<input type="checkbox"/>
Photo Identification	<input type="checkbox"/>	<input type="checkbox"/>

ONE OR BOTH OF THE FOLLOWING if the candidate possesses them:

Passport

Driving Licence: photocard

ANY TWO OF THE FOLLOWING – confirming name and address

Recent Utility Bill	<input type="checkbox"/>	<input type="checkbox"/>
Recent Credit Card Statement	<input type="checkbox"/>	<input type="checkbox"/>
Recent Bank Statement	<input type="checkbox"/>	<input type="checkbox"/>
Recent Mortgage Statement	<input type="checkbox"/>	<input type="checkbox"/>
Recent Insurance Statement	<input type="checkbox"/>	<input type="checkbox"/>

RELEVANT DOCUMENTS AS SPECIFIED BY THE HEADTEACHER

Academic Qualifications – list	(If teaching staff, must include:)	
	PGCE	<input type="checkbox"/>
Professional Qualifications – list	Degree	<input type="checkbox"/>
	QTS	<input type="checkbox"/>
Other – state	Induction Certificate	<input type="checkbox"/>
	Skills Test Results	<input type="checkbox"/>
Referees x 2	Performance Mgt	<input type="checkbox"/>
	Certificate and/or other	<input type="checkbox"/>
	Confirmation (threshold etc)	<input type="checkbox"/>
	Proof of current UPS	<input type="checkbox"/>
	(if applicable)	

Signed

Position Date

APPENDIX 5 – APPLICATION FORM –NON-TEACHING

Please complete all sections of the form. The back page of the application form will be detached and retained in the Personnel section. This ensures that your application is dealt with objectively.

Title of the job applied for:	
In the department of:	
Job reference:	
Closing date:	
Where did you see the advertisement for this post?	

A1. Personal details	
Name	
Address and postcode	
Telephone Numbers	Daytime Evening Mobile
Email address	
A2. Present or most recent employer/employment	
Name	Period (state month/year)
Address	Name of supervisor Nature of business
Postcode	Basic salary
Telephone number	Position held and nature of responsibilities
Notice period	
Reason for leaving	

A3. Previous employment (in date order, starting with most recent)

Please state all employment and account for any gaps. Failure to do so may result in your application not being considered – particularly if you are applying for a job which is exempt from the Rehabilitation of Offenders Act 1974.

	From To (state month year)	Brief summary of duties and reason for leaving (if applicable)

A4. Essential and desirable criteria – see enclosed employee specification (M23)

The employee specification which was enclosed with this application form gives details of the essential and desirable attributes of our ideal candidate. Please use this opportunity to state clearly how you meet each of the criteria set out in the employee specification.

A5. Your reasons for applying for this post

Please use this space to tell us about your reasons for applying for this post.

A6. Reference details

Please give the names and addresses of two people who would be willing to provide a reference concerning your application. One of the referees must be your current/last employer who will be asked specifically about your attendance record.

Name

Address

Daytime contact number

Is this person your present or previous employer?

Yes No

If you answered 'no' to the above question, in what capacity does the referee know you?

.....

References will normally be taken up prior to interview. Please indicate if your referee can be contacted at this stage.

Yes No

Name

Address

Daytime contact number

Is this person your present or previous employer?

Yes No

If you answered 'no' to the above question, in what capacity does the referee know you?

.....

References will normally be taken up prior to interview. Please indicate if your referee can be contacted at this stage.

Yes No

A7. Relationship to existing council employees or councillors

If you have any personal relationship to any Wirral Councillor, member of a committee of the council or employee of the council, please give their name and relationship. Any approach to Councillors or other employees to influence a selection decision will disqualify you. This does not stop a Councillor or employee giving a reference

A8. Education

Please tell us about your education, beginning with the most recent.

Date From	Date To	Name of School, College or University

A9. Educational and professional qualifications

You must complete this section if some kind of educational attainment is stated as an essential or desirable attribute on the employee specification (M23). You may include relevant training courses and membership of professional bodies.

Type of Qualification & Level e.g. GCSE 'O' level	Full Title of Subject Taken & Title of Examining Board	Grade or Mark

A10. Your availability

Please tell us when you are not available for interview in the 6 weeks following the closing date for this post. This does not guarantee that we will be able to accommodate your needs, particularly where an interview date has already been indicated.

A11. Driving or car ownership status

If the job for which you are applying requires you to drive or carries an Essential Car User allowance please answer the following questions.

Are you a vehicle owner?

Yes No

Do you hold a full clean current licence?

Yes No

If No, please give details of any penalties or endorsements

.....

.....

Please state any other type of licence you hold (e.g. HGV)

.....

A12. Declaration

The details given by me are correct to my knowledge and belief. I understand that canvassing will automatically disqualify my application. I also understand that my application may be rejected or my employment may be terminated for withholding relevant details or giving false information. This declaration also covers information provided in a CV or other document.

Signature

Date

For office use only

EO Interview

Yes No

Shortlist

Yes No

Reference one

Requested Returned

Reference two

Requested Returned

Medical check

Requested Returned

CRB check

Basic Standard Enhanced

Requested Returned

The Metropolitan Borough of Wirral is an Equal Opportunities Employer and positively welcomes applications from all people regardless of their sex, creed, marital status, race, age, disability, sexual orientation.

To help monitor and improve our Equal Opportunities policy, please complete the following information. This section will be detached and stored separately to ensure that your application is dealt with impartially.

Title of the job applied for

Ref:

B1. Please repeat your personal details -

Title	Address &
Last name	Postcode
First name(s)	
Date of Birth	
Marital Status	Gender
	<input type="checkbox"/> Male <input type="checkbox"/> Female

B2. Recruitment Analysis

The Council operates a policy of equal opportunity. To assist the monitoring of this policy and for that purpose only, please tick the relevant ethnic origin. Please tick appropriate category. If you are in an 'Other background' category please state what it is.

White	<input type="checkbox"/> British
	<input type="checkbox"/> Irish
	<input type="checkbox"/> Any Other White Background*
Mixed	<input type="checkbox"/> White & Black-Caribbean
	<input type="checkbox"/> White & Black-African
	<input type="checkbox"/> White & Asian
	<input type="checkbox"/> Any Other Mixed Background*
Asian or Asian-British	<input type="checkbox"/> Indian
	<input type="checkbox"/> Pakistani
	<input type="checkbox"/> Bangladeshi
	<input type="checkbox"/> Any Other Asian Background*
Black or Black-British	<input type="checkbox"/> Caribbean
	<input type="checkbox"/> African
	<input type="checkbox"/> Any Other Black Background*
Chinese	<input type="checkbox"/> Chinese
	<input type="checkbox"/> Any Other Ethnic Group*

B3. Disability

The Council takes a positive approach in the selection of people with disabilities, including interviewing all disabled persons who meet the essential selection criteria. The Disability Discrimination Act 1995, defines disability as “a physical or mental impairment which has substantial and long-term adverse effect on the ability to carry out normal day to day activities”.

Do you consider that you have a disability? Yes No (tick the appropriate box)

If 'yes' please provide details of any adjustments we might need to make in order to fulfil your needs at interview or in the workplace.

B4. Criminal convictions

Have you been fined, sentenced to imprisonment, discharged on payment of costs or had any order made against you by a criminal, civil or military court, or public authority, or is any action pending. Motoring offences, except for parking offences, should be included.

*Disclosure will not automatically discount you from interview. The Council will consider all applications on their merits, only taking into account convictions considered to be relevant to the job applied for. Under the Rehabilitation of Offenders Act 1974, you are not obliged to declare any spent convictions unless the post is subject to a Criminal Records Bureau Check. **This post is subject to the following CRB check:***

Basic Standard Enhanced

If the post is subject to a CRB check please read the enclosed Disclosure of Criminal Records Policy to ensure that you declare relevant information.

B5. Source of Application

In order to improve the way in which we advertise in future, please tell us how you found out about this vacancy:

- | | |
|--|--|
| <input type="checkbox"/> Job Centre | <input type="checkbox"/> Newspaper or other publication* |
| <input type="checkbox"/> Internal Personnel Bulletin | <input type="checkbox"/> Internet/Intranet* |
| <input type="checkbox"/> One Stop Shop | <input type="checkbox"/> Other* |
| <input type="checkbox"/> Personal recommendation | *Please give details: |

B6. Confirmation of Declaration *The details given by me are correct to my knowledge and belief. I understand that my application may be rejected or my employment may be terminated for withholding relevant details or giving false information. This declaration also covers information provided in a CV or other document*

Signature

Date

SECTION 6: SAFER RECRUITMENT AND VETTING PRACTICE

INTRODUCTION

The School is committed to safeguarding the welfare of children and vulnerable adults. We ensure our recruitment policies and practices are robust and contain the necessary measures to enable us to employ a workforce that will fulfil its roles and responsibilities with full regard to this commitment. For clarity, “children” are defined as those under the age of 18, and “vulnerable adults” are broadly defined as those people covered by the Community Care legislation, including adults with physical or learning disabilities or those being supported because of mental ill health and/or addiction.

THE BICHARD INQUIRY

The Bichard Inquiry, led by Sir Michael Bichard, was commissioned by the Home Office in December 2003, following the conviction of Ian Huntley for the murders of the two Soham schoolgirls, Holly Wells and Jessica Chapman.

The inquiry investigated matters relating to child protection measures, record keeping, vetting and information sharing. Sir Michael Bichard’s report was published in June 2004, and contained a series of recommendations. The majority of these recommendations fell to the police, Home Office, the Criminal Records Bureau and the Department for Education and Skills to implement. Implementation of the report’s recommendations is ongoing.

POSTS REQUIRING CLEARANCE

BHSC reviews all posts in its establishment. It identifies and maintains a list of posts requiring CRB clearance and those that do not. A process also exists for identifying and recording this requirement when creating new posts. Upon identification of the status of all posts, an indicator is included against that post on the School’s Central Record.

ASSESSMENT AND SELECTION PROCESS

The following checklist provides the minimum essential requirements when recruiting to such positions, including voluntary and unpaid positions as referred to above:

- That all shortlisted applicants have face-to-face interviews;
- Applicants are asked specific questions at interview examining attitudes towards children, young people, or vulnerable adults (as applicable);
- There is effective scrutiny of the information provide by applicants, such as references, gaps in employment or educational history;
- Discrepancies and qualifications are checked and followed up;
- With regard to overseas staff, the same checks will be made as for all other staff, but should additionally include a certificate of good conduct from their home police force or embassy, as well as from other countries where they have worked. CRB disclosures do not detail offences committed abroad.
- Applicants receive an induction and appropriate training in Child Protection issues; and
- Applicants’ attitudes and behaviour should continue to be monitored or supervised post-appointment.

THE PRE-EMPLOYMENT CHECKING PROCESS

Following the offer and acceptance of employment, employees do not commence working for BHSC until full clearances have been received and checked by BHSC, other than in exceptional circumstances (see below). This relates not only to CRB clearance, but also to qualification checks, List 99 checks, medical clearance, verification of entitlement to work in the UK (Asylum & Immigration Act) and receipt of satisfactory references. This also applies to internal appointments, in that staff should not transfer to a post requiring CRB clearance, until such clearance has been received.

There would need to be exceptional and justifiable circumstances for employment to commence prior to CRB clearance. Such a decision is only taken by the Headteacher, following risk assessment. There is a record of this process and decision, including "sign off" by the Headteacher, which ensures audit and accountability of the judgement. The judgement is an assessment of the risk versus the consequences of the decision. For positions covered by List 99 provisions, employment must never commence prior to the List 99 check being completed. Furthermore, the employee must never commence prior to the submission of their completed disclosure application to the CRB.

Risk Assessment - Key Questions for Consideration

1. What are the reasons for considering commencement of employment prior to receiving clearance?

This should not be a natural default position, and should be exceptional and clearly linked to the circumstances identified in response to question 2 below.

2. What would be the consequences to service delivery, of waiting until clearance is received?

Again, these should be exceptional and have a demonstrable substantial impact on service users (e.g. partial or full school closure). You should be able to demonstrate how you have used effective planning to avoid/minimise this disruption, and clearly show where this has been unavoidable.

3. If the employee commenced in their role, what would be their normal level of access to children/vulnerable adults?

- i) Unsupervised access one-to-one
- ii) Unsupervised access to a group

Neither of these would be acceptable arrangements in any circumstances during this "waiting period".

- iii) Supervised access one-to-one
- iv) Supervised access to a group
- v) No direct access, but based within premises

If an employee does commence employment prior to clearance being received, their access must be supervised at all times. The level of risk declines as the list progresses, however, there continues to be a risk with each of these scenarios.

4. Has the employee left employment to take up the post?

The employee themselves runs a risk if they leave existing employment to take up a post that remains subject to clearance. This should be made clear to them.

5. Is there previous satisfactory CRB clearance documentation available?

*If a previous disclosure/verification of clearance is available, consider how recent it is and whether the employee has continued to work for that employer continuously since then. This **does not** offer any guarantee of current clearance, however, it may reduce the likelihood of convictions, complaints, investigations, etc., having occurred in the intervening period. See also "Portability", paragraphs 18-19.*

6. Are the other checks and clearances in place?

Again, the existence of other checks and clearances does not eliminate risk, or conclusively verify a candidate's suitability to commence employment. However, a candidate for whom we have verified qualifications, reliable references from existing employer, and has provided a complete employment history, etc., is potentially less of a risk than someone for whom we have not yet completed any checks with regard to identity or background, or who has gaps in employment/education history.

If a decision is taken to commence an employee prior to receiving clearance, their contract of employment remains subject to this condition being met. The employee must have completed and submitted their completed disclosure application to the CRB. The application's progress within the CRB system should be checked and monitored on a regular basis.

As referred to above, robust and reliable supervision arrangements are in place during the "waiting period". BHSC ensures the employee is clearly notified of the supervision arrangements that are in place. The situation is checked and monitored at least every two weeks. The Headteacher remains accountable during this time, until the clearance is received, checked and suitability confirmed.

PORTABILITY

The CRB does not endorse the use of portability, i.e. the re-use of a CRB disclosure obtained for a position in one organisation and later used for another position in another organisation. A disclosure carries no formal period of validity and only reflects information that was available at the time of its issue. As a responsible employer, BHSC will therefore exercise caution in the portability of disclosures. Portability carries a risk and is only considered as part of an overall risk assessment process, and reserved for exceptional circumstances. Further information on the limitations and risks of portability can be obtained from the CRB.

As part of the risk assessment process (see paragraphs above), the following guidelines are given:

In relation to permanent appointments, or those expected to last in excess of six months, an employee may commence employment with relevant risk-control measures, upon sight of an enhanced disclosure that is less than two years' old. A new disclosure must be applied for, and the contract will remain subject to this requirement.

For short-term appointments, such as the use of agency staff, the enhanced disclosure should not be accepted if it is more than one year old. If the use of the individual is expected to recur, a new disclosure should be applied for.

CHECKING AND RE-CHECKING OF EXISTING EMPLOYEES

There are various elements to the process of checking and re-checking existing employees. BHSC has determined that the following will apply:

- i) All existing employees who transfer from a post that does not require clearance, to one that does, will be subject to an enhanced CRB check.
- ii) Any employee employed within a post that has been identified as requiring CRB clearance, who since 2002 has been subject to a standard disclosure, should now be subject to an enhanced disclosure.
- iii) The Headteacher may deem at any time that an employee should be subject to an enhanced CRB check, provided that they can justify that the employee has "given cause for concern" and is employed in a position that meets the criteria for working with, or having contact with, children or vulnerable adults.

It is not mandatory for an employee to undergo a CRB check, if they have been and remained in a post identified as requiring clearance, since prior to 2002 (with the exception of circumstances arising under (v) above). The School will, however, encourage and facilitate such checks on a voluntary basis, to ensure maximum management of risk in the protection of children and vulnerable adults.

POSITIVE DISCLOSURES

The term "positive disclosure" refers to a disclosure containing information relating to convictions, cautions, reprimands, etc., plus "soft information" relating to non-convictions, but which police forces deem relevant. If a positive disclosure is received for an employee who has already commenced work, the individual should be immediately withdrawn pending further enquiries.

BHSC ensures that a consistent process for considering such disclosures and for making subsequent judgements regarding an applicant's suitability for employment is followed.

The following key stages must occur:

- Positive disclosure is passed to HR Officer (LA).
- The HR Officer completes an initial assessment of whether the offence(s) listed are sufficiently serious to cause concern. This assessment will be in accordance with the following checklist:
 - The seriousness and nature of the offence(s)
 - The nature of the appointment
 - Length of time since the offence(s) occurred
 - Number and pattern of offences
 - The applicant's age at the time
 - Any explanation of the circumstances, that may have already been given
 - Concealment of offences at application stage
- If offences were not declared, this will automatically warrant an interview with the applicant.
- Judgements at this stage will often err on the side of caution.
- If the HR Officer recommends that the offence(s) is not sufficiently serious to warrant an interview, the decision to employ will be signed off by the Headteacher.
- If it is judged that an interview is necessary, this should be undertaken between the Headteacher and the prospective employee. Another officer should be present, such as an appropriate senior manager.

- The meeting is an essential part of the process, as it is necessary to verify that the information contained on the disclosure does indeed relate to the individual concerned. This verification must be sought prior to any judgements being made. There have been occasions where CRB system errors have occurred and information supplied has been wrongly attributed to individuals.
- The disclosure should be discussed with the prospective employee. The discussion will aid the decision-making process, and should again broadly focus around the following:
 - The seriousness and nature of the offence(s)
 - The nature of the appointment
 - Length of time since the offence(s) occurred
 - Number and pattern of offences
 - The applicant's age at the time, circumstances/explanation
 - Concealment of offences at application stage
- Based upon the findings of the interview, the Headteacher will undertake a risk assessment with regard to the suitability of the employee. Judgements regarding suitability are not wholly confined to the disclosure revealing offences against children or vulnerable adults. Other types of offences may render a prospective employee unsuitable. In addition to convictions or cautions, this may also include having harmed or placed children or vulnerable adults at risk of harm; or having exhibited behaviour, which leads to the belief that there may be a child or vulnerable adult at risk of harm in the future.
- The Headteacher should not take the decision in isolation, but will be accountable for it. There should be a clear record made of the decision, bearing the judgement and signature of the accountable Headteacher. This judgement should not contain details of the offences.

RECORD KEEPING

BHSC keeps a single, central record collating when and by whom checks on the identity, qualifications and outcomes of List 99 and CRB checks on staff were made. The appendices to this policy provide guidance and pro-forma for this purpose.

There is a requirement to request full details of CRB checks carried out on staff supplied through an agency and the need for each school to keep a record that checks have been verified, when and by whom.

Information disclosed as part of a CRB check is treated as confidential. The disclosure is kept in secure conditions and is destroyed, by secure means, as soon as it is no longer needed. It should not normally be kept more than six months after the decision is taken.

However, before the disclosure is destroyed, records need to be kept detailing the date the disclosure was obtained, who obtained it, the level of the disclosure and the unique reference number. The Headteacher also records the information that was used to assess suitability, together with a record of the judgement and decision reached.

CLIENT ORGANISATIONS

BHSC takes measures to ensure that client organisations are aware of their obligations under the CRB Code of Practice, and that they adhere to this policy and associated practices when working with the school.

BHSC Policy Statement (summary)

- As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for positions of trust, BHSC complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.
- We actively promote equality of opportunity for all with the right mix of talent, skills, and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications, and experience.
- Where a Disclosure is to form part of the recruitment process, we encourage all applicants to provide details of their criminal record at the application stage of the recruitment process.

OTHER SOURCES OF INFORMATION

Disclosure Application Line 0870 90 90 844

CRB Information Line 0870 90 90 811

Useful websites

www.crb.gov.uk
www.dfes.gov.uk
www.ofsted.gov.uk

www.disclosure.gov.uk
www.teachernet.gov.uk

FLOWCHART – RECRUITMENT

PROCEDURES

Step 1 - Post description agreed - BJ
Step 2 - Salary agreed – BJ
Step 3 - Deadline agreed – BJ
Step 4 - Provisional interview dates agreed - BJ
Step 5 - M23 agreed - BJ
Step 6 - Interview panel agreed - BJ
Step 7 - Advert agreed - BJ
Step 8 - Application information pack produced - NH
Step 9 - Information pack loaded onto website - NH
Step 10 - Advert uploaded to Wirral/school sites - NH
Step 11 - Advert sent to publishers - NH
Step 12 - Interview questions written to match M23 - BJ
Step 13 - Interview model answers produced - BJ
Step 14 - All application packs recorded - NH
Step 15 - All returned applications are recorded and date stamped - NH
Step 16 - All applications are assessed against M23 by at least two members of interview panel (1 must be safe guard trained) - BJ
Step 17 - Shortlist agreed - BJ
Step 18 - Invitation letter agreed - BJ
Step 19 - Interview programme agreed - BJ
Step 20 - Applicants contacted by email/telephone - NH
Step 21 - Applicants contacted by post - NH
Step 22 - References requested - NH
Step 23 - References chased before interview - NH
Step 24 - Identity checked – RS/HH
Step 25 - List 99/ISA check – RS/HH
Step 26 - CRB checked – RS/HH
Step 27 - All documentation/qualifications checked – RS/HH
Step 28 - GTC registration checked – RS/HH
Step 29 - All documentation and records collected and stored securely - NH
Step 30 - Review of process - BJ