



## Safeguarding Policy

### PURPOSE

This policy sets out Ark's commitment to safeguarding the children in our academies and describes in sections 2 and 3 the aims and scope of the policy. Section 4 details the key safeguarding procedures, policies and available information to academies to support safeguarding in our schools. In section 5 the policy describes our support for the child and how we partner with our parents and carers and section 6 outlines the responsibilities in our network for those with a particular safeguarding remit.

Date of last review:	September 2017	Author:	Head of Safeguarding
Date of next review:	September 2018	Owner:	Education Directors
Type of policy:	<input type="checkbox"/> Network-wide <input type="checkbox"/> Set for school <input checked="" type="checkbox"/> Tailored by school	Approval:	Board
School:	Ark Conway Primary Academy	Key Contact Name:	Governance Team
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### POSITIONING WITHIN ARK OPERATIONAL MODEL

Component	Element
<input type="checkbox"/> Strategic Leadership & Planning <input type="checkbox"/> Monitoring, Reporting & Data <input type="checkbox"/> Governance & Accountabilities <input type="checkbox"/> Teaching & Learning <input type="checkbox"/> Curriculum & Assessment <input checked="" type="checkbox"/> Culture, Ethos & Wellbeing <input type="checkbox"/> Pathways & Enrichment <input type="checkbox"/> Parents & Community <input type="checkbox"/> Finance, IT & Estates <input type="checkbox"/> Our People	Safeguarding

## Named staff with Safeguarding Responsibilities

### Academic Year : 2017 - 2018

<b>Principal</b>	<b>Designated Safeguarding Lead</b>	<b>Deputy Designated Safeguarding Lead</b>	<b>Nominated Safeguarding Link Governor</b>	<b>Chair of Governors</b>	<b>Local Authority Designated Officer (LADO)</b>
Lois Osborne	Rebecca Ross-Wood	Lois Osborne	Margaret O'Shea	Alison Cabot	Hilary Shaw

#### **1. Introduction**

- 1.1 This Policy sets out Ark's commitment to safeguard the children and young people in our academies. The aims and scope of the Policy are set out in sections 4 and 5. Section 6 details leadership and management responsibilities in our network for those with a safeguarding remit, sections 8 to 9 detail the key staff responsibilities to safeguarding and child protection procedures. In section 10 the Policy describes our support for the child and how we partner with our parents and carers. Section 11 to 12 details Safer recruitment, dealing with allegations and HR procedures in relation to safeguarding and section 13 details guidance within the policy of available information to academies to support safeguarding in our schools.
- 1.2 This Safeguarding Policy has been developed in accordance with the principles established by the Children Act 1989 and 2004 and responsibilities under section 157 of the Education Act 2002. It reflects the current advice and guidance from the Department for Education and requires the academies in the network to take note of the priorities and to meet the requirements of their Local Safeguarding Children's Board (LSCB). In particular, the policy is consistent with the London child protection procedures outlined in the following statutory guidance:
- Keeping Children Safe in Education (Sept 2016)
  - Working Together to Safeguard Children (March 2015)
  - What to do if you are worried a child is being abused (March 2015)
  - Use of reasonable force: Advice for head teachers, staff and governing bodies (July 2013)
  - 'Prevent Duty Guidance for England and Wales' 2015
  - 'Statutory framework for the early year's foundation stage' 2017
- 1.3 This Safeguarding policy requires staff and governors to read and sign to acknowledge their understanding of Part One of Keeping Children Safe in Education September 2016, supported by an online module to assist staff and governors further to understand and discharge their role and responsibilities.
- 1.4 This Safeguarding policy requires staff and governors to complete the e-learning training package on Prevent, produced by the Home Office, to develop their awareness on Prevent.

- 1.5 This Safeguarding policy requires for all schools to be compliant with the annual safeguarding Audit process.
- 1.6 This Safeguarding policy requires for all schools to reference the UKCCIS Guidance: Sexting in schools and colleges, responding to incidents and safeguarding young people (2016)
- 1.7 Induction - In recognition of the vital importance safeguarding plays in our academies, all staff members are informed of their academy's Safeguarding Policy and Procedures and advice from their Local Safeguarding Children's Board (LSCB) as part of their induction when they start at the academy. All staff members must receive regular refresher training, at appropriate intervals, as and when required, but at least annually to keep up with any relevant safeguarding and child protection developments.

## 2 Definitions

Within this document:

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

## 3. Principles and Values

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

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

#### 4. Aims

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

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

#### 5. Scope

This policy applies to all teaching, non-teaching, support, supply, peripatetic, contract staff, governors, volunteers and trustees working in or on behalf of the academy, including those at Ark Central team. All references in this document to 'staff' or 'members of staff' should be interpreted as relating to the aforementioned unless otherwise stated.

This policy is updated annually and is published to all staff and volunteers and Schools should make the policy available on their academy website.

Rather than duplicating content from Keeping Children Safe in Education (September 2016) in this policy, it should be understood that the School will always refer to this document as the benchmark for all safeguarding practice and decision making.

## **6. Leadership and Management**

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

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

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

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

### **6.2 Head of Safeguarding**

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

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

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

The Head of Safeguarding will ensure that the annual safeguarding Audit process is effectively carried out and report any inadequacies to the Regional Director.

### **6.3 The Regional Director**

The Regional Director or Executive Principal will ensure that:

- The Principal/Heads of school arrangements for pastoral care are effective and that all safeguarding and child protection policies and procedures are understood and adhered to in all situations.
- Any concerns about the conduct of other adults in the school should be taken to the Principal (or the Designated Safeguarding Lead); and concerns about the Principal should go to the Regional Director and Head of Safeguarding.

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

The Principal or Head of School will ensure that:

- the policies and procedures adopted by the Ark School's Board and Local Governing Body associated with protecting children are fully implemented, understood and followed by all staff and adhered to at all times;

- the nominated Safeguarding link governor is made known to all staff;
- sufficient resources and time are allocated to enable the academy's Designated Safeguarding Lead and other staff to discharge their safeguarding responsibilities;
- a designated teacher is appointed to promote the educational achievement of children who are looked after and ensure that this person has appropriate training;
- the school has designated an appropriate designated person for Online safety;
- all staff and volunteers feel able to raise concerns about poor or unsafe practice in regard to children, and such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed policies; and that the responsibilities detailed in section 8 are fully carried out.
- the school's responsibility to pay heed to the Equality Act and children with SEN and disabilities when excluding students.

## **6.5 The Designated Safeguarding Lead (DSL) in the Academy**

The Designated Safeguarding Lead is the lead officer within the academy for Safeguarding and the Deputy Designated Safeguarding Lead who provides cover for the DSL, and has the following responsibilities:

### **6.5.1 Raising awareness**

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

### **6.5.2 Training**

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

### **6.5.3 Referrals and casework**

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

The DSL is responsible for the following in relation to referrals and casework:

- Act as a source of support, advice and expertise within the academy;
- Refer cases of suspected abuse, significant concerns and presenting issues to the local authority children's social care, and other external agencies Early help, CAMHS and localised services as required. Support staff who make referrals to local authority children's social care;
- Refer to Head of Safeguarding, The LADO and People Partner for all cases which concern a staff member;
- Refer to Head of Safeguarding and People Partner for all cases where a person has left due to risk/harm to a child;
- Discuss with People Partner to refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required;
- Refer cases to the Channel Programme where this is a radicalisation concern as required. Support staff who make referrals to the Channel Programme;
- Refer to Head of Safeguarding/ Police for cases where a crime may have been committed;
- Liaise with the Principal to inform of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- Act as a source of support, advice and expertise to staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies;
- Work closely with the designated teacher for children looked after and the Virtual school head to discuss pupil premium plus additional funding can best be used to support the progress of looked after children in the school and meet the needs identified in the child's personal education plan.
- Work closely with the SENCo to develop awareness with staff on the fact that children with special educational needs (SEN) and disabilities can face additional safeguarding challenges.
- Ensure the academy is represented at strategy meetings, child protection conferences, reviews, core groups and other multi-agency meetings;
- Sharing information as appropriate with other agencies and contributing to assessments;
- Ensure the academy carries out their part of any child protection plan;
- Keep the Principal and Ark's Head of Safeguarding informed of challenging issues and ongoing investigations with particular reference to section 9 and ensure there is always cover for their role.

#### **6.5.4 Records and reporting:**

Child Protection records must be kept in an appropriate and useful manner and treated as confidential information. Each academy should have a secure filing system for child protection records. Files should be clearly labelled CP or CIN with initials of child's forename and surname. Files must be kept separately from pupil's general school records and information

shared with those who need to have it. Reports will be objective and evidence based; they will distinguish between fact, observation, allegation and opinion.

Specifically, the DSL is responsible for the following:

- Keep detailed, accurate, secure written records of all child protection concerns and any related referrals;
- Ensuring that school follows Ark standardised electronic recording and storing information system including disclosures, casework, referrals, decisions and actions or another system providing similar functions;
- When a child leaves the academy, ensure that the child protection file is copied for the new academy or school as soon as possible and transferred to the new academy or school;
- Separately from the main student file - if a child is missing from education, home, care or parents elect to home educate then the child protection file will be copied and the copy forwarded to the Education /Social Care Service;
- Report regularly alongside the Safeguarding Link Governor to the Local Governing Body on safeguarding and child protection issues in the academy;
- Ensuring that all staff and volunteers fully comply with the Academy's policies and procedures and attend appropriate training

## 6.6 The Local Governing Body (LGB)

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

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

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

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

- the academy has the Ark Safeguarding Policy and procedures in place that are consistent with DfE and Local Safeguarding Children Board guidance and locally agreed inter-agency procedures, and the policy is made available to parents on request;
- The DSL and Safeguarding Link Governor provide LGB with an annual audit report by Spring LGB and end of year report in Summer term 2.
- the academy operates safe recruitment procedures and makes sure that all appropriate checks are carried out on staff and volunteers who work with children;
- the Academy has procedures for dealing with allegations of abuse against teachers and other staff that comply with guidance from Ark, DfE and locally agreed inter-agency procedures;

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

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

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

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

## **8. Staff Responsibilities**

Safeguarding is everyone's responsibility and all staff, regardless of their role, should exercise vigilance and be watchful for, and aware of, signs that a child may be in need of help as well as the signs of abuse and neglect. If a staff member has any concerns about a child s/he should complete a 'Cause for Concern' form and hand it to the Designated Safeguarding Lead (DSL) or in their absence to the Deputy Designated Safeguarding Lead (DDSL). The DSL (or DDSL if appropriate) will discuss the matter with the member of staff and will decide on an appropriate course of action. This discussion and actions taken will be recorded.

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

### **8.1 *Listening and responding***

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

### **8.2 *Early help and inter agency work***

All staff should be aware of the early help process, and understand their role in it. This includes:

- Identifying emerging problems and potential unmet needs;
- liaising with the DSL;
- sharing information with other professionals to support early identification and assessment;
- in some cases, acting as the lead professional in undertaking an assessment of the need for early help.

### 8.3 *Record keeping*

- Any member of staff who has concerns about the welfare of a child must share this information with the Designated Safeguarding Lead (DSL) or Deputy Designated Safeguarding Lead (DDSL).
- Staff will make a brief, accurate and verbatim record of the concerns including the child's own words (if a disclosure) or the evidence that has led to the concerns.
- all verbal conversations should be promptly recorded in writing.
- This report is given to the DSL who will analyse risk and refer onwards as necessary and appropriate.
- Referrals where urgent action is required should never be delayed in order for a full report to be written. Information should be passed on immediately and the report followed.
- CP records will be stored securely and away from the main pupil records.

### 8.4 *Confidentiality*

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

### 8.5 *Other Reporting*

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

### 8.6 *Children with special educational needs and disabilities*

Staff to be aware of additional barriers that can exist when recognising abuse and neglect for children with SEN and disabilities. These can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these barriers.

## 8.7 Peer on Peer abuse

- If a member of staff thinks for whatever reason that a pupil may pose a risk of harm to himself or to others (this includes but is not limited to cases of serious bullying) the member of staff should report their concerns to the DSL as soon as possible.

## 9. Child Protection

9.1 Abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another. **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults or another child or children

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

9.1.2 Harm is the ill-treatment or impairment of health and development including, for example, impairment suffered from seeing or hearing the ill-treatment of another. Health includes physical and mental health and development means physical, intellectual, emotional, social or behavioural development.

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

9.1.4 Signs of possible abuse

Staff and other adults in the academy are well placed to observe any physical, emotional or behavioural signs which indicate that a child may be suffering significant harm. The relationship between staff, children, parents and the public which foster respect, confidence and trust can lead to disclosure of abuse and or our academy staff being alerted to concerns.

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

- Unexplained injuries, bruising etc.
- Unauthorized absences from the academy that do not have a reasonable explanation or exhibit a suspicious pattern
- Significant change in behaviour
- Indications of hunger
- Issues of consistent personal hygiene
- Untreated medical conditions
- Watchful, cautious response to adults
- Aggressive or abusive to others
- Bullying other children or being bullied
- Under-achieving, unable to concentrate
- Avoiding removal of clothing in PE etc

- Truancy, fabricating or stealing
- Inability to trust others and make friends
- Deterioration in general well being
- Comments or language from the child that cause concern.

## 9.2 Forms of abuse

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

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

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

**Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## 9.3 Specific Safeguarding Issues

All staff should have an awareness of safeguarding issues which are listed with links under Appendix C of this policy. Further details should be read at Annex A of Keeping Children Safe in Education (September 2016). Safeguarding can link to issues such as drug-taking, alcohol abuse, truancy and sexting. Sexting can become an aspect of online safety abuse, between adults/children.

### Female Genital Mutilation (FGM)

Staff need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. There is a range of potential indicators that a child or young person may be at risk of FGM, which individually may not indicate risk but if there are two or more indicators present it could signal a risk to the child or young person. Victims of FGM are likely to come from a

community that is known to practise FGM. Staff should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject. Warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 16-17 of the [Multi-Agency Practice Guidelines](#). Chapter 9 of those Guidelines (pp42-44) focuses on the role of schools. FGM can also link to Honour Based Violence (see KCSIE for further information).

Where a teacher discovers that an act of FGM appears to have been carried out on a girl who is aged under 18, he or she has a statutory duty to personally report it to the police. Those failing to report such cases to the police will face disciplinary sanctions. Unless the teacher has good reason not to they should still consider and discuss the case with the DSL and involve children's social care as appropriate. Any other adults with concerns about FGM should report their concerns to the DSL immediately.

### Child Sexual Exploitation (CSE)

CSE is a form of abuse which involves children receiving something in exchange for sexual activity. CSE involves an imbalance of power in the relationship; it can involve varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming. In addition to the behavioural indicators above, key indicators of CSE include appearing with unexplained gifts or new possessions; associating with other young people involved in exploitation; and having older boyfriends or girlfriends. Any concerns regarding CSE should be immediately reported to the DSL.

### Child Criminal Exploitation (CCE)

CCE recognises the concern that exists with regard to children and young people who are used, through whatever means, to engage in criminal activity by other young people or adults who are able to coerce them to do so. The young people involved may not identify themselves as being 'exploited' as such, but it is clearly to their detriment that they are involved in this type of activity.

### Action if a pupil is missing education

The School needs to be aware of those pupils who are persistently absent or missing from school as this may be an indicator of welfare concerns, including abuse or neglect. All staff must also be aware of their role to prevent children from going missing from education. For school's procedures for unauthorised absence, including on repeat occasions, as well as referral to the local authority and details of responses please see 'Attendance Policy'.

### Grooming

Grooming is the process by which an individual prepares a child, significant adults and the environment for abuse of this child. Children and young people can be groomed online or in the real world, by a stranger or by someone they know. Groomers may be male or female. They could be any age. Many children and young people do not understand that they have been groomed, or that what has happened is abuse. The signs of grooming are not always obvious. Groomers will also go to great lengths not to be identified.

In older children, signs of grooming can easily be mistaken for 'normal' teenage behaviour, but you may notice unexplained changes in behaviour or personality, or inappropriate sexual behaviour for their age.

### Preventing radicalisation and extremism

It is the School's duty under the Counter Terrorism & Security Act 2015 (The Prevent Duty) to have due regard to the need to prevent pupils from being drawn into terrorism. The referral procedures set out above also apply where there are concerns about children who may be at risk of being drawn into terrorism. The School will set out the training requirements, prevention measures and procedures which staff must familiarise themselves with and follow if they have concerns about a child being drawn into terrorism. The DSL is the designated

person responsible for co-ordinating action within the school and liaising with other agencies, including the Local Authority Prevent Lead.

#### Online safety

Staff should be aware of the risks from potentially harmful and inappropriate online material. Annex C of KCSIE provides useful information and web links for teachers.

#### Teaching about safety and safeguarding

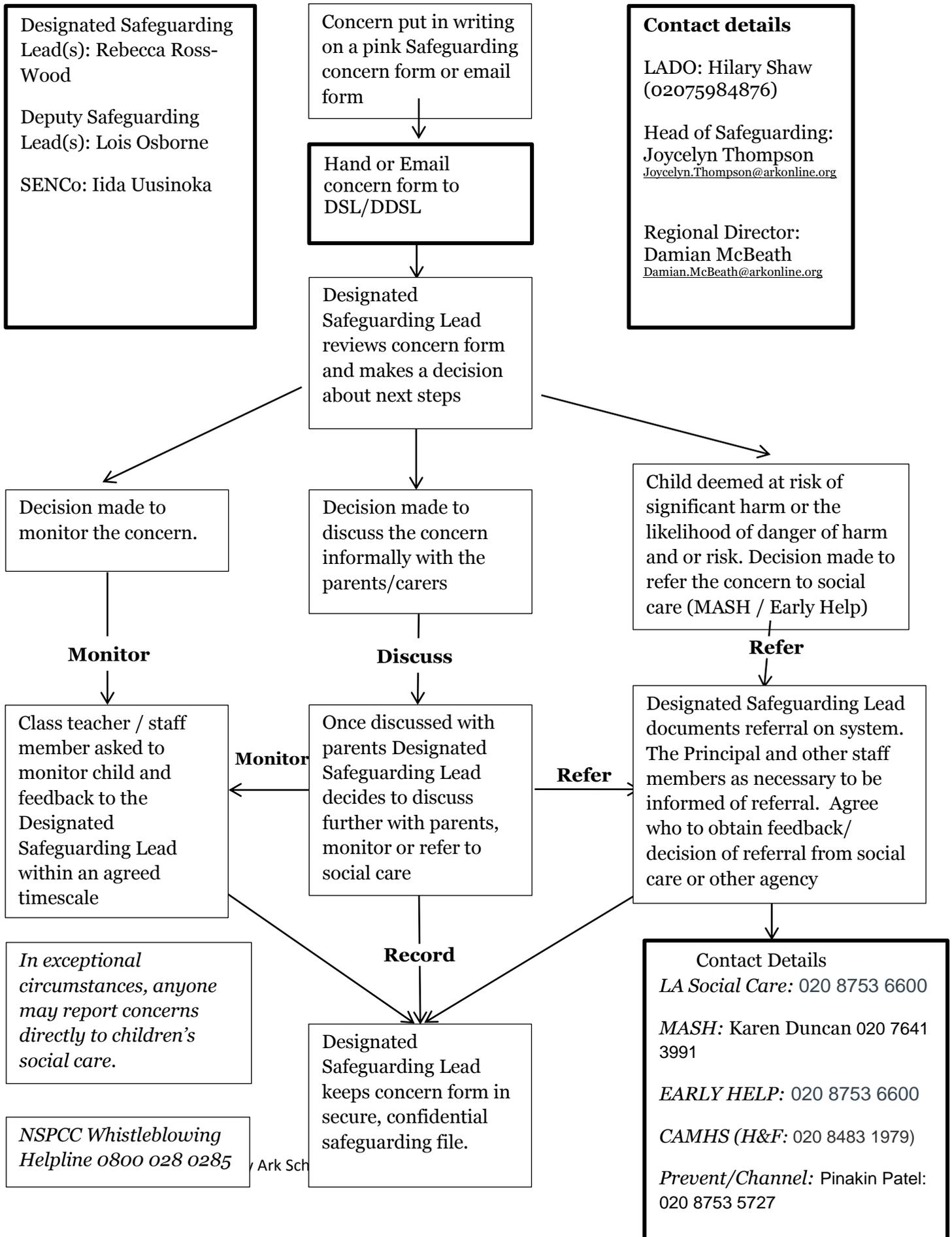
The School takes a proactive approach to teaching children about safety and safeguarding. In addition to PSHE, this is undertaken across the curriculum. As well as explicit teaching opportunities, staff use incidental opportunities to promote safe messages and teach about how to manage risk.

### **9.4 Identifying & Raising Concerns**

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

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

**9.5 FLOWCHART FOR RAISING SAFEGUARDING CONCERNS ABOUT A CHILD**



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

- 10.1 The academy recognises that the child's welfare is paramount and that good child protection practice and outcome are helped by (but are not solely dependent upon) having a clear understanding of the needs and views of children, and a positive, open and honest working partnership with parents.
- 10.2 We will provide a secure, caring, supportive and protective relationship for the child. Children will be asked for their views and each child will be heard, although it will be explained that while their views will be taken into account, there is a professional responsibility to take the action that is necessary to ensure the child's safety. Children will be given a proper explanation (appropriate to their age & understanding) of what action is being taken on their behalf and why.
- 10.3 Children will be given opportunities within the curriculum to understand risks to them and learn about keeping safe.
- 10.4 Children will be enabled to talk and report concerns, complaints and disclosures and it is made clear who or how they should report these to and they are listened to, taken seriously and responded to appropriately.
- 10.5 While, on occasion, we may need to make referrals without consultation with parents, we will make every effort to maintain a positive working relationship with them whilst fulfilling our duties to protect any child, acting with the advice of the Social services/Local Authority Designated Officer (LADO) as appropriate.
- 10.6 We will endeavour always to preserve the privacy, dignity and right to confidentiality of the child and parents. The Principal or Designated Safeguarding Lead will determine which members of staff need to know personal information and what they need to know to support and protect the child. They will ensure that the appropriate members of staff in particular to the child is aware of any issues which they may need to know so they are best able to support the child.
- 10.7 If a parent or child has a safeguarding concern, question, doubt or allegation about the conduct of an adult, s/he should raise it with the Designated Safeguarding Lead or Principal. If a parent, child or children raises a concern with another member of staff, it will be immediately passed onto the Designated Safeguarding Lead or Principal.

## **11. Safer Recruitment**

We are committed to safer recruitment practice and will carry out the following pre-employment checks:

- Identity check
- Right to work check
- DBS clearance
- Barred list checks
- Prohibition checks – Teachers only
- Prohibition checks – s. 128 – for management positions
- Two references
- Evidence of fitness to work with children
- Further checks on those who have lived outside the UK
- Professional qualifications check

## 11.1 Criminal Checks

The level of DBS certificate required, and whether a prohibition check is required, will depend on the role and duties of an applicant.

Due to the nature of the roles in schools, our school based staff will all be subject to an enhanced clearance check, which includes the barred list checks.

## 11.2 Prohibition Checks – TEACHERS ONLY

Prohibition checks will be carried for all teachers to ensure that they are not prohibited from teaching. These are issued by the National College for Teaching and Leadership (NCTL) which have the effect of barring the individual concerned from teaching posts in any school.

*(School Staffing (England) Regulations 2009, the Non-Maintained Special Schools (England) Regulations 2015 and Education (Independent School Standards) Regulations 2014 require governing bodies or proprietors to check that a person to be appointed is not subject to an interim prohibition order or a prohibition order.)*

## 11.3 Prohibition Checks – S.128 of the Education and Skills Act 2008

This check should be carried out for any staff management position which involves regulated activity (which encompasses all teaching posts above classroom teacher, and all ancillary posts where the person is a member of the senior leadership team).

## 11.4 DBS

11.4.1 All new employees will undergo DBS checks before commencing work in all but the most exceptional cases and employees with a break in service of more than three months will also be rechecked, and all TUPE'd employees will have a DBS check when they join the network.

11.4.2 Three yearly re-checks cease for academy - based staff but continue for central office staff, volunteers and contractors and any other staff deemed to be high risk, as well as agency staff (the check being done by the Recruitment Agency). Governors and Trustees (the Propriety Body) must have an Enhanced DBS to be checked every four years. Notwithstanding paragraphs 9.2 and 11 all academies will comply with DBS requirements as set out in Part Three of Keeping Children Safe in Education (September 2016).

11.4.3 Ark reserves the right to repeat any check if any information is received that suggests a person may no longer be suitable for continued employment.

## 12. Dealing with allegations against staff, volunteers and other professionals

12.1 In addition to above 9.2.1, the academy Designated Safeguarding Lead or Principal must advise the Head of Safeguarding of any Safeguarding issue, concern or allegation raised about the practice or behaviour of a member of staff.

If the safeguarding issue, concern or allegation is against the Principal, the person receiving the information must contact the Regional Director and Head of Safeguarding. The Ark Procedures on Allegations against teachers and other staff must be followed and the Designated Safeguarding Lead or Principal must advise the Regional Director, Head of Safeguarding and People Partner if an allegation:

- Could result in, or has resulted in, a strategic case meeting being called by a Local Authority Designated Officer (LADO);
- Relates to a member of staff and, without prejudice to the case, the Designated Safeguarding Lead judges may result in disciplinary action being taken.

12.1.2 Where a safeguarding concern or allegation triggers another procedure such a grievance or disciplinary, that procedure shall only be followed once the immediate safeguarding concern or allegation has been fully investigated.

***For more detail, please refer to Appendix A – ‘Managing Allegations Against staff, volunteers and other professionals’ Procedure***

Ark is committed to safeguarding children as well as ensuring that when allegations are made against staff or volunteers that these are managed in line with the appropriate procedures.

Where an allegation is made against an employee or volunteer, the academy Designated Safeguarding Lead or Principal must advise the Head of Safeguarding.

Where the allegation is against a Principal, the person receiving the information must contact the Head of Safeguarding and the Regional Director.

Allegations will be managed in accordance with Ark's Procedures on Managing Allegations.

The People Partner will provide HR advice in these circumstances.

#### 12.1.3 *Multi-agency working*

When an allegation is made against an individual, the DSL and / or the Principal will assess whether the alleged person who works with children or the matter meets the following threshold:

- 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; or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children or to a particular child.

A member of staff could be subject to an allegation even if they have not harmed a child or intended to. It is enough that the member of staff conduct could pose a risk to the child.

Where the Principal and or the DSL considers that the matter meets the threshold, the DSL and or the Principal will liaise with the Local Authority Designated Officer (LADO), to discuss the matter. If there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion should be convened. If an allegation is about physical contact, the strategy discussion or initial evaluation with the police should take into account that teachers and other staff are entitled to use reasonable force to restrain children in certain circumstances, including dealing with disruptive behaviour.

This would involve the employer, police and social services attending these discussions to discuss the allegations and agree how the matter will be addressed.

The DSL and or the Principal will continue to update the Regional Director as well as the Head of Safeguarding during this time.

#### 12.1.4 *Managing allegations internally*

Where it is clear that an investigation by the police or children's social care services is unnecessary, or a strategy discussion or initial evaluation decides that is the case, the LADO should discuss with the Principal or DSL the next steps of the school managing the situation. In those circumstances, the options open to the school depend on the nature and circumstances of the allegation and the evidence and information available.

Ark will manage the allegations in line with its procedure on 'Allegations against a member of staff, volunteer or other professional'.

#### 12.1.5 *Suspension*

It may be appropriate, in some instances, to suspend the individual. Suspension is intended as a neutral and non-punitive act. Prior to this taking place, all options to avoid suspension should be considered. The People Partner will advise on whether suspension is appropriate or not in the circumstances.

#### 12.1.6 *Grievance*

Where an individual raises a grievance as part of the process, the People Partner will advise as to whether it should be considered as part of the ongoing investigation or whether it should be considered separately.

#### 12.1.7 *Other allegations*

During the course of the investigation, additional allegations may come to light. The People Partner will advise the investigating officer on how to address the additional allegations.

#### 12.1.8 *Resignations and settlement agreements*

If an individual resigns or leaves on a settlement agreement, this should not prevent an allegation from being followed up. If on the basis of the information a referral to the appropriate agency needs to be completed, this should be carried out. The individual should be advised that this will need to take place.

The People Partner should be consulted prior to any settlement agreements being reached, to ensure that Ark does not breach its duties and therefore incur criminal liability for failing to follow due process.

#### 12.1.9 *Timescales*

All allegations should be investigated as a priority to avoid delay. Ark is aware that the time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation. Ark will ensure that all allegations are managed within the expected timescales in line with the KCSIE guidance.

#### 12.1.10 *Referrals to external agencies*

Where the matter meets the requirement for a referral to the DBS agency, this will be carried out promptly. For teachers, a referral to the NCTL will also be completed.

If there is a substantiated allegation against a member of staff, the School, Regional Director, Head of Safeguarding, Head of Diversity and Employee Relations and the People Partner will work with the LADO to identify any changes, lessons learnt and improvements which could be made to help prevent similar events in the future.

### **13. Information and Guidance**

13.1 Each academy will insert in **APPENDIX A** of this document a series of Ark or school policy, procedure or guidance documents or links to documents specific to their academy addressing the following topics:

- Protection and wider safeguarding
  - What is Child Abuse/definitions/signs and symptoms
  - Attendance/Children Missing from Education
  - Dealing with Disclosures
  - Signs and symptoms of child sexual exploitation
  - Signs and symptoms of female genital mutilation/mandatory reporting
  - Duties under the Counter Terrorism and Security Act 2015 (The 'Prevent Duty')
  - Medicine & First Aid
  - Health & Safety
  - Educational visits/Transporting children on school activities
  - Intimate care
  - SEND

- IT Policy
- Whistleblowing
- Definition of Private Fostering
- Children /young people with Medical Needs
- Responding to self -harm, suicide, mental health
- Primary-Secondary transition
- Internet and or Online Safety
- Staff code of conduct
- Behaviour & Attitudes
  - Behaviour
  - Anti – Bullying and Harassment
  - Anti-Discrimination
  - Managing harmful behaviour of children who are vulnerable and/or have committed offences that may present a risk to others in a school setting
  - Use of Reasonable force/Physical Intervention /Positive Handling
  - Images/photography of students
  - Managing allegations against other pupils
  - PSHE & Citizenship /Relationship & Sex Education (RSE)/Spiritual, moral, social and cultural (SMSC)
- Safety
  - School site security
  - Visitor Management
  - Coping with a school emergency/Emergency response plan
- HR & Governance
  - Safer recruitment
  - Complaints policy
  - Allegations against staff, volunteers and other professionals
  - Disqualification under the Childcare Act 2006 (DfE Feb 2015)
  - The Governors handbook – (requirement for Governors)

13.2 Each academy may wish to include documentation or links to documentation in addition to those listed above in paragraph 12.1.

13.3 **Appendix B** contains statutory legislation and guidance and other documents and links to those documents related to safeguarding in schools

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

- Child missing from education
- Child missing from home or care
- Child sexual exploitation (CSE)

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

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

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

## APPENDIX A

- Protection and wider safeguarding
  - What is Child Abuse/definitions/signs and symptoms
  - Attendance/Children Missing from Education
  - Dealing with Disclosures
  - Signs and symptoms of child sexual exploitation
  - Signs and symptoms of female genital mutilation/mandatory reporting
  - Duties under the Counter Terrorism and Security Act 2015 (The 'Prevent Duty')
  - Medicine & First Aid
  - Health & Safety
  - Educational visits/Transporting children on school activities
  - Intimate care
  - SEND
  - IT Policy
  - Whistleblowing
  - Definition of Private Fostering
  - Children /young people with Medical Needs
  - Responding to self-harm, suicide, mental health
  - Primary-Secondary transition
  - Internet and /or Online Safety
  - Staff code of conduct
- Behaviour & Attitudes
  - Behaviour
  - Anti – Bullying and Harassment
  - Anti-Discrimination
  - Managing harmful behaviour of children who are vulnerable and/or have committed offences that may present a risk to others in a school setting
  - 'Use of Reasonable force/Physical Intervention /Positive Handling
  - Images/photography of students
  - Managing allegations against other pupils
  - PSHE & Citizenship /Relationship & Sex Education (RSE)/Spiritual, moral, social and cultural (SMSC)
- Safety
  - School site security
  - Visitor Management
  - Coping with a school emergency/Emergency response plan
- HR & Governance
  - Safer recruitment
  - Complaints policy
  - Allegations against staff, volunteers and other professionals
  - Disqualification under the Childcare Act 2006 (DfE Feb 2015)
  - The Governors handbook – (requirement for Governors)



## **APPENDIX B**

Keeping children safe in education (Sept 2016)

Working together to safeguard children (March 2015) + Feb 2017 update

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

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

'Information Sharing: Advice for practitioners', DfE (March 2015) Prevent Duty Guidance for England and Wales' 2015

Early years (under 5s) foundation stage framework (EYFS) 2017

The Children Act 1989 and 2004

Education Act 2002

The Children and Families Act 2014

Inspecting Safeguarding in early years, education and skills setting

SEND code of practice: 0 to 25 years 2015

Mental Health & Behaviour in Schools 2016

Disqualification under the Childcare Act 2006

School attendance 2016

Exclusion from maintained schools, academies and pupil referral units in England (Sept 2017)

Criminal Exploitation of children and vulnerable adults: County Lines guidance July 2017

## APPENDIX C

[Child Missing from Education](#)

[Child Missing from home or care](#)

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

[Bullying including cyberbullying](#)

[Domestic Violence & Abuse](#)

[Drug Advice for Schools](#)

[Fabricated or Induced Illness](#)

[Abuse Linked to Faith or Belief](#)

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

[Forced Marriage](#)

[Gangs and Youth Violence](#)

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

[Mental health](#)

[Private fostering](#)

[Preventing radicalisation](#)

[Sexting](#)

[Teenage Relationship Abuse](#)

[Trafficking](#)

**APPENDIX D**  
**RECRUITMENT & APPOINTMENT POLICY**

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

# Recruitment & Selection Policy and Procedure

## 1. Introduction

- 1.1 Ark Schools exists to give every young person, regardless of their background, a great education and real choices in life. This may only be achieved through the appointment of high quality staff (teaching and operational).
- 1.2 These procedures take into account relevant legislation and guidance, and make particular reference to the statutory guidance 'Keeping Children Safe in Education' (Department for Education, (September 2016 and subsequent versions), as well as the Equality Act 2010 Employment Statutory Code of Practice and the Data Protection Act (DPA) 1998.
- 1.3 Ark Schools is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers and apprentices to share this commitment. In order to meet this responsibility, it follows a rigorous selection process to discourage and screen out unsuitable applicants.

## 2. Purpose

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

## 3. Scope

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

## 4. Equal Opportunities

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

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

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

## 5. Responsibilities

- 5.1 Ark Schools is responsible for maintaining fair, consistent and objective procedures for matters relating to recruitment and appointments.
- 5.2 The principal<sup>1</sup> has overall responsibility for the internal organisation, control and management in their academy<sup>2</sup> and the implementation of this policy in their academy.

## 6. General principles

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

## 7. Recruitment & selection procedure

### 7.1 Stage one: Recruitment planning

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

- Replacement: whether the post needs to be filled and/or whether the nature of the job has changed significantly
- Job description: this should state the post title, salary, reporting lines and resources (including staff) for which the postholder is responsible. It should also include the purpose of the post and main responsibilities, as well as making it clear that the postholder will have responsibility for promoting and safeguarding the welfare of children within the academy and that the post is subject to an enhanced disclosure. Template job descriptions can be obtained online. If amendments need to be made a member of the recruitment team should be consulted to ensure consistency of roles and salaries across the network.
- Person specification: this should set out the essential requirements for the post in terms of qualifications, skills, knowledge and experience, personal characteristics or other qualities that candidates will need to demonstrate. The person specification should make it clear that candidates will be expected to demonstrate a commitment to safeguarding the welfare of children, and that this

will be tested at interview.

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

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

Again, template person specifications can be obtained online. Information pack for applicants: essential information about the academy/post; job description; person specification; the standard Ark Schools information about the recruitment process and how it safeguards against employing adults who might harm children; and any relevant policies for equality and diversity. All information packs are available online and will be approved by the academy principal and the recruitment team before posting.

## 7.2 Stage two: Advertising and applicant management

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

- post title, and a brief description of the associated duties
- remuneration
- whether full time or part time
- essential characteristics/qualifications/skills/ experience necessary
- details of the academy, and who to contact for further information
- a statement of Ark Schools' commitment to equal opportunities and commitment to safeguarding and promoting the welfare of children
- the requirement for an enhanced DBS check

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

- full identifying details of the applicant including current and former names, current address and contact details, and National Insurance number
- academic/professional qualifications relevant to the post applied for, with details of the awarding body and dates
- for teachers, their QTS reference number
- confirmation of whether the applicant requires a work visa (and details associated with this)
- a full chronological history since leaving education, including periods of training, work (including voluntary work), and an explanation for any gaps. Start and end dates should be provided in all instances. In some instances a short application form accompanied by a CV is accepted provided the preceding points are explored at interview
- a declaration of any family or close relationship to existing employees, Ark Schools central office staff member or to academy governors and Trustees
- contact details for two referees (one of whom **must** be the applicant's current or most recent employer). Where the applicant is applying for a teaching position and his or her current job does not involve working with children, a reference should be sought from their most recent employer where it did.

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

- a signed, dated statement from the applicant that they are not disqualified from working with children, or subject to sanctions imposed by a regulatory body such as the National College of Teaching and Leadership or qualifications awarding organisations
- a signed statement declaring if they have any criminal convictions, cautions, reprimands or final warnings not filtered under current guidelines.

### 7.3 Shortlisting

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

- the short listing panel must include a minimum of two senior academy employees and/or Ark Schools recruitment team. Those responsible for short-listing should normally take part in the interview process; at least a minimum of one short-lister should be on the panel
- the members of the panel must shortlist the applications independently of each other before meeting and agreeing a final list to interview. All applications are scrutinised for consistency and completeness of information, gaps in employment, anomalies and discrepancies. Incomplete applications are not accepted. Curriculum Vitae must be accompanied by an appropriate safeguarding statement and/or short application form.
- a standard short-listing matrix is to be used for recording applicants and whether they met the short-listing criteria as defined by the job specification. The cut-off score for selection should be agreed before the applications are assessed and applied consistently to all applications.
- all candidates are assessed equally against the criteria contained in the person specification.

### 7.4 Invitation to interview

Prior to inviting short-listed candidates for interview/testing, the principal must ensure that:

- candidates are made aware that: ‘the interview will assess their suitability to work with children and will include questions relating to safeguarding and promoting the welfare of children’
- for teaching staff, references are sought for each candidate (Ark Schools’ reference request template must be used, since it addresses particular areas of concern)
- candidates are asked to bring identification documents, qualifications and certificates to the interview. **Important note:** It is essential that references, qualification details, and other documents provided by the applicant are cross-checked against details on the application form, in order to rule out possible

anomalies. Where anomalies are found or where references are vague or unspecific, follow-up action will be taken by the principal to establish the candidate's suitability for the post.

## 7.5 Interviews

The principal must ensure that:

- no offer of appointment is made without the candidate having attended a face-to-face interview, or where this is not possible, a video conference.
- interviews are conducted by a minimum of two interviewers at all times
- interviewers have received appropriate training, and in particular at least one member of every panel must have undertaken Safer Recruitment training [staff requiring this training should contact the Central Recruitment team at [recruitment@arkonline.org](mailto:recruitment@arkonline.org)]
- a core set of questions to be asked of all candidates is drawn up prior to interview (or provided by Ark Schools), based on the person specification (normally competence- based)
- additional questions are prepared related to safeguarding and promoting the welfare of children, including:
  - motivation to work with children and young people
  - ability to form and maintain appropriate relationships and personal boundaries with children and young people
  - ability to deal with challenging behaviours and attitudes to use of authority and maintaining discipline
- the interview panel agrees the required standards before the interviews take place and how they are to be measured
- the interview panel agrees beforehand what additional issues specific to each candidate need to be explored at interview (based on the candidate's application and references)
- candidates are reminded that their identity needs to be checked and that they are subject to an enhanced criminal background check

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

The principal must ensure that all offers are made conditional on completion of all checks and that (other than in the most exceptional of circumstances which must be discussed with the head of recruitment at Ark Schools) new recruits do not commence work without the following checks having been satisfied.

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

- verification of qualifications and/or professional status (previously DCSF registration number and now GTCE registration)
- evidence of identity and address (see either a birth certificate, driving license, or passport combined with evidence of address)
- confirmation that the applicant can legally take up employment in the UK

- List 99 check
- enhanced criminal background disclosure
- health check/medical questionnaire (post offer)
- completion of statutory induction period (applies to teachers who obtained QTS after 7/5/99)
- two satisfactory references
- overseas criminal record check (where necessary)
- for those being recruited to a management position, a Section 128 check must be carried out (see 8.3)

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

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

## 7.7 Post-appointment documentation

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

- application form (including signed declaration)
- interview assessment notes
- short-listing forms
- documentation from any selection tests.

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

# 8. Pre-employment checks

## 8.1 Disclosures (DBS)

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

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

**In some exceptional circumstances it may be possible for an individual to start employment without a returned criminal background disclosure. The central People team must be consulted prior to the employment start date where this is**

considered necessary. If it is determined there is a clear and urgent need for the post the central People team will then advise on the process for completing a risk assessment.

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

## 8.2 Barred List

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

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

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

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

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

## 8.4 References

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

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

## 8.5 Qualifications

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

## 8.6 Right to work

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

## 8.7 Medical fitness

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

## 8.8 Agency staff

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

## 8.9 Single Central Register

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

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

# 9. Criminal records disclosure details

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

The following paragraphs provide information and advice to ensure that staff use disclosure information in accordance with the *Employment Statutory Code of Practice* [this includes the Data

Protection Act and other relevant legislation relating to handling, storage, retention and disclosure of information] that Ark Schools academies must comply with.

### **9.1 Information provided on disclosure certificates**

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

### **9.2 Enhanced disclosure and barred list**

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

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

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

### **9.3 Limitations of disclosure information**

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

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

### **9.4 Services of an umbrella body**

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

### **9.5 Responsibility within Ark Schools**

All staff must treat all disclosure information in the strictest confidence. It is an offence under the *Police Act 1997* to pass disclosure information to unauthorised

persons. This means that disclosures and the information they contain are only passed to staff who need to have access to it in the course of their duties. Members of staff who pass confidential disclosure information to an unauthorised person will be subject to disciplinary procedures.

## **9.6 Designated responsibility for Ark Schools**

- The Head of HR has responsibility for ensuring that all members of the recruitment team and school based staff responsible for recruitment are trained in Ark Schools' recruitment and selection procedure and the background checks procedure and
- the management of and arrangements pertaining to the services of the umbrella body (see 9.4)
  
- The HR Advisor will work in consultation with the principal, to assess whether applicants whose criminal background disclosure gives cause for concern should be employed

## **9.7 Verifiers**

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

## **9.8 Lead recruiters (including managers of agency workers)**

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

## **9.9 Making decisions using disclosure information**

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

## **9.10 Identify and discuss concerns**

If a disclosure reveals information that gives cause for concern, the verifier should first check whether the individual has previously disclosed details of any convictions

or cautions. The principal should then meet with the individual to confirm that the disclosure is accurate.

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

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

## **9.11 Factors to consider when making a decision**

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

- the seriousness of the offence
- the degree of risk that the offence suggests that the individual represents
- repeat offences: was the offence a one-off or part of a history of offending
- the age of the offence and whether or not committed whilst a juvenile
- whether the offence has been decriminalised by Parliament
- an examination of the circumstances of the offence(s), for example the candidate's age at the time, the influence of financial or domestic circumstances
- whether circumstances have changed since the offence was committed, making re-offending highly unlikely
- the nature of the job and the extent of job supervision i.e. does the nature of the job present any opportunities for the postholder to re-offend in the course of their work, such as one-to-one contact with children
- if the applicant disclosed the offence on their original application

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

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

## **9.12 Non-conviction information**

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

If a decision is made not to confirm an offer of employment to a job applicant because of non-conviction information, the individual should be informed that the offer of employment has been withdrawn. If the individual queries the decision no further justification can be given. Non-conviction information is exempt from the *Data Protection Act* provisions in relation to subject access requests *and from the Freedom of Information Act*. In the event of Ark Schools being taken to an employment tribunal as a result of a decision based on non-conviction information, the details will be given to the chairman of the tribunal.

### **9.13 Commencing employment**

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

### **9.14 Agency workers**

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

### **9.15 Self-employed staff/consultants**

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

### **9.16 Storage and handling of disclosure information**

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

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

## **9.17 Complaints**

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