

OLD VICARAGE SCHOOL

OLD VICARAGE SCHOOL (OVS) **SAFEGUARDING CHILDREN CHILD PROTECTION POLICY**

This policy was prepared with reference to DCSF guidance. The School complies with the Derby City and Derbyshire Local Authority Safeguarding Children Board Procedures

Our Child Protection Procedures are set out in separate Procedure documents that are available for staff and volunteers to view at all times.

1.0 INTRODUCTION

1.1 Our School fully recognises the responsibilities it makes to Child Protection. We comply with the DCSF requirements for both the *Safeguarding of Children and Safer Recruitment in Education* effective from the 1st January 2007 and the *Independent Safeguarding Authority (ISA)* from April 2008.

There are three main elements to our policy:

- a) Prevention through the teaching and pastoral support offered to children.*
- b) Procedures for identifying and reporting cases, or suspected cases, of abuse.*
- c) Support to children who may have been abused.*

.2 *Our policy applies to the Proprietor and **all** staff, volunteers and visitors working in the school.*

1.3 Under Section 175 Education Act 2002 (DfES Guidance 0027/2004 Safeguarding Children in Education) Old Vicarage School has a duty to safeguard children and promote their welfare. OVS has developed policies and procedures to ensure that the five outcomes of the Every Child Matters vision are implemented and understood by all staff members.

The five outcomes are:

- Be Healthy
- Stay Safe
- Enjoy and Achieve
- Making a positive contribution
- Achieving economic well-being

2.0 LEGAL OBLIGATIONS

2.1 In order to fulfil its legal obligations under statutory guidance the school has developed objectives for children. These include:

- creating a safe environment where children feel valued and secure, are listened to and are able to identify an adult in school who they could safely approach if they are worried or concerned;
- raising the awareness of child protection issues through the curriculum;
- supporting children who have been identified as being victims of abuse;
- attending all relevant meetings and child protection conferences, assist with the implementation of any protection plans or looked after care plans;
- providing information for parents/carers through the school prospectus and
- promoting early intervention strategies throughout the school to support children and young people who are presenting with emerging vulnerabilities.

2.2 Old Vicarage School will ensure that all staff, teaching, non-teaching and volunteers, will:

- be aware that they have individual responsibility for referring child protection and welfare concerns using the appropriate internal procedures;
- be aware that it is not the responsibility of staff in school to investigate suspected cases of abuse;
- be aware that they cannot promise a child complete confidentiality - instead they must explain that they may need to pass information to other professionals to help keep the child safe from harm;

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- be aware of the internal referral process within the school;
- know who the OVS child protection co-ordinator is in order to report to if they are concerned about a child(s) welfare (including temporary, supply staff and volunteers);
- be aware of the schools monitoring and recording procedures;
- have attended basic child protection awareness training every three years and
- have received a copy of the schools child protection policy and also know where the schools copy of the OVS inclusive of the Derby Safeguarding Children Boards Child Protection Procedures are located within the school.

3.0 AIMS AND PRINCIPLES

3.1 The aims of this policy are:

- To support the child's development in ways that will foster security, confidence and independence
- To raise the awareness of both teaching, administrative and support staff of the need to safeguard children and of their responsibilities in identifying and reporting possible cases of abuse
- To provide a systematic means of monitoring children known or thought to be at risk of harm
- To emphasise the need for good levels of communication between all members of staff
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- To develop a structured procedure within the school which will be followed by all members of the school community in cases of suspected abuse
- To develop and promote effective working relationships with other agencies, especially Social Services
- To ensure that all adults within our school, who have access to children, have been checked as to their suitability
- To establish and maintain an environment where children feel secure, are encouraged to talk, and are listened to
- To ensure children know that there are adults in the school whom they can approach if they are worried; and
- To include opportunities in the PSHCE curriculum for children to develop the skills they need to recognise and stay safe from abuse.

3.2 The key factor in deciding whether or not to disclose confidential information is proportionality: is the proposed disclosure a proportionate response to the need to protect the welfare of the child. The overriding consideration is what is the best interest of the child that relates to the least detrimental available alternative.

3.3 **Underpinning principles:-**

- The welfare of the child is paramount (Children's Act 1989)
- Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any responsible person to question their motivation and intentions
- Staff should work, and be seen to work in an open and transparent way
- Staff should discuss and/or take advice promptly from their line manager or another senior member of staff over an incident which may give rise for concern
- All staff should know the name of the designated person for child protection and understand their responsibilities to safeguard and protect children
- Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

3.4 **The Human Rights Act 1998**

Article 8 of the European Convention on Human Rights (which forms part of UK law under the *Human Rights Act 1998*) recognises a right to respect for private and family life.

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Everyone has the right to respect for his private and family life, his home and his correspondence.

- .1 There shall be no interference by a public authority with exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety of the economic well-being of the country, for the prevention of disorder or crime, protection of health or morals or for the protection of rights and freedom of others.

Article 8 ECHR

The right is not absolute. Disclosing confidential information to protect the welfare of a child could cause considerable disruption to a person's private or family life. This may, however, be justified by Article 8(s) if it is necessary to prevent crime or to protect the health and welfare of a child. Essentially the same "proportionality" to test applies to the common law of duty of confidence. If sharing information is justified under the common law duty of confidence and does not breach the data protection requirements or any other specific legal requirements, it should satisfy Article 8.

3.5 The Data Protection Act 1998

The Data Protection Act 1998 regulates the handling of personal data. Essentially, this is information kept about an individual on a computer or on a manual filing system. The act lays down the requirements for the processing of this information, which includes obtaining, recording, storing and disclosing it.

The School complies with the Act, which includes the eight data protection principles. There should not be an obstacle if:-

- you have particular concerns about the welfare of a child
- you disclose information to social services or to another profession; and
- the disclosure is justified under the common law of duty of confidence

If children are worried about any aspect of their lives in which they would like to talk to somebody they are invited to share with the named person with responsibility for child protection, the named person if appropriate or the Headmaster. If any teacher suspects that a child may be the victim of abuse, they should not try to investigate, but should immediately inform a named person about their concern. When investigating incidents or suspicions, the person responsible in the school for child protection will work closely with social services, and with the LA, and the Local Children's Safeguarding Board (LCSB). We handle all such cases with sensitivity, and we attach paramount importance to the interest of the child.

We require all adults employed in school to complete the school application form, bring to the interview a current driving licence including a photograph or a passport or a full birth certificate, a utility bill or financial statements showing the candidate's name and address and where appropriate any documentation, giving evidence of change of name. Any offer to a successful candidate will be conditional upon:-

- a receipt of at least two satisfactory references (if they have not already been received)
- verification of activity and qualifications
- a check at DCSF List 99 and the Protection of Children Act List as appropriate
- a satisfactory CRB Disclosure
- verification of professional status such as GTC registration and QTS status
- verification of successful completion of statutory induction period (applies to those who obtained QTS after May 1999)

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- where the successful candidate has worked or been resident overseas in the previous five years, such checks and confirmations as the school may require in accordance with statutory guidance
- verification of medical fitness
- satisfactory completion of the probationary period

We recognise that the school plays a significant part in prevention of harm to our children by providing children with good lines of communication with trusted adults and supportive friends.

4.0 SAFER RECRUITMENT AND SELECTION AND THE MANAGEMENT OF ADULTS WHO WORK WITH CHILDREN

Old Vicarage School Maintains a Central Register in accordance with Section 4C of the "Education (Independent Schools Standards) (England) Regulations 2003, Self-audit Checklist for School use".

4.1 It is our policy in employing staff or volunteers to work with children to adopt a consistent and thorough process of safe recruitment, in order to ensure that those recruited are suitable. We comply with the criteria set by the Local Safeguarding Children's Board (LSCBs), which includes complying with relevant government guidance, examples of good practice guidance, and model policies and procedures where needed. Our safe recruitment practice also includes those persons who may not have direct contact with children, but because of their presence will still be seen as safe and trustworthy. The principles of safe recruitment are included in the terms of any contract drawn up between ourselves and the contractors or agencies that provide services for us. Compliance is monitored and sub-contracting by the provider is not permitted.

4.2 Advertisement and information for applicants

Our recruitment advertising material contains a policy statement concerning our commitment to safeguarding and protecting children. All information given to interested applicants highlights the importance we place on a rigorous selection process. Additionally we stress that the identity of the candidate, if successful, will need to be checked thoroughly. This includes a Criminal Records Bureau (CRB) check. The person will be required to complete an application for a CRB straight away.

Our job descriptions should clearly set out the extent of the relationship with, and the degree of responsibility for, children with whom the person will have contact. The person's specification explains:

- the qualifications and experience needed for the role;
- the competences and qualities that the applicant should be able to demonstrate;
- how these will be tested and assessed during the selection process.

The application form asks for:

- full personal information, including any former names by which the person has been known in the past; and
- a full history of employment, both paid and voluntary, since leaving school, including any periods of further education or training;
- details of any relevant academic and / or vocational qualifications;
- a declaration that the person has no convictions, cautions, or bind-overs (Posts involving work with children are exempt from the *Rehabilitation of Offenders Act 1974*), or details in a sealed envelope.

4.3 References

- The application form requests both professional and character references, one of which should be from the applicant's current or most recent employer. Additional references may be asked for where appropriate. For example, where the applicant is not currently working with children, but has done so in the past, a reference from that employer is asked for in addition to that from the current or most recent employer if this is different.

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- Wherever possible, we request that references be obtained prior to the interview so that any issues of concern raised by the reference can be explored further with the referee and taken up with the candidate during interview.
- References should contain objective verifiable information and in order to achieve this we have designed a reference pro-forma with questions relating to the candidate's suitability to work with children.
- We require that the referee be asked to confirm whether the applicant has been the subject of any disciplinary sanctions and whether the applicant has had any allegations made against him / her or concerns raised which relate to either the safety or welfare of children and young people or about the applicant's behaviour towards children or young people. Details about the outcome of any concerns or allegations will be investigated.

4.4 Other checks before Interview

We require all adults employed in school to complete the school application form, bring to the interview a current driving licence including a photograph or a passport or a full birth certificate, a utility bill or financial statements showing the candidate's name and address, National Insurance Number NI) or if no NI is available details of entitlement to work in the UK and where appropriate any documentation, giving evidence of change of name. If the applicant claims to have specific qualifications or experience relevant to working with children, which may not be verified by a reference, the facts will be verified by making contact with the relevant body or previous employer and any discrepancy will be explored during the interview.

4.5 Selection of Candidates – Short Listing

We have standard procedures for short listing to ensure that the best candidates are selected fairly. All applicants will be assessed equally against the criteria contained in the person specification without exception or variation.

Safer recruitment means that all applications will additionally be:

- checked to ensure that they are fully and properly completed. Incomplete applications will not be accepted and should be returned to the candidate for completion.
- scrutinised for any anomalies or discrepancies in the information provided.
- considered with regard to any history of gaps, or repeated changes, in employment, or moves to supply work, without clear and verifiable reasons.

All candidates are required to bring with them to interview documentary evidence of their identity, either a full birth certificate, passport or photocard driving licence and additionally a document such as a utility bill that verifies the candidates name and address. Where appropriate, change of name documentation must also be brought to the interview.

Candidates will also be asked to bring original or certified copies of documents confirming any necessary or relevant educational and professional qualifications. If the successful candidate cannot produce original documents or certified copies written confirmation of his / her relevant qualifications will be obtained from the awarding body if it is still in existence.

4.6 Interviewing Shortlisted Candidates

Questions will be set which test the candidate's specific skills and abilities to carry out the job applied for. The candidate's attitude toward children and young people in general will be tested and also their commitment to safeguarding and promoting the welfare of children in particular. At least one member of the interview panel is trained in how best this can be done. Any gaps and changes in employment history should be fully explored during the interview, as should any discrepancies arising from information supplied by the candidate or by the referee.

4.7 Offer of Appointment to Successful Candidates

An offer of appointment will be conditional upon pre-employment checks being satisfactorily completed, including:

- a CRB check appropriate to the role;
- a check of DCSF List 99 and / or the Protection of Children Act (POCA) List

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from Autumn 2008 the Vetting and Barring Scheme, under the *Safeguarding Vulnerable Groups Act 2006*, will commence;

- verification of the candidate's medical fitness;
- verification of any relevant professional status and whether any restrictions have been imposed by a regulatory body such as the General Teaching Council (GTC) the General Council Social Care (GCSC) and the General Medical Council (GMC);
- confirmation that candidates from overseas are legally able to work in the UK, along with equivalent checks being sought from their country of origin.
- verification of qualifications;
- verification of professional status such as GTC registration and QTS status;
- verification of successful completion of statutory induction period (applies to those who obtained QTS after May 1999);
- where the successful candidate has worked or been resident overseas in the previous five years, such checks and confirmations as the School may require in accordance with statutory guidance;
- entitlement to work in the UK;
- verification of medical fitness; and satisfactory completion of the probationary period;
- at least two satisfactory references which will be kept on the candidate's personnel file or, in the case of supply staff or volunteers not recruited through an agency, on a central record within the school.

All checks will be confirmed in writing and retained on the candidate's personnel file, together with photocopies of documents used to verify his / her identity and qualifications. Under CRB regulations, CRB disclosures can usually only be kept for 6 months, but a record will be kept of the date the disclosure was obtained and who by, the level of the disclosure and the unique reference number.

A record will be kept of evidence to show that such checks have been carried out in respect of supply staff and volunteers whether recruited directly or through an agency. Where information gained by the employer from either references or other checks calls into question the candidate's suitability to work with children, or where the candidate has provided false information in support of the application the facts should be reported to the police and/or the relevant department within the DCSF.

5.0 PREVENTION

5.1 We recognise that high self-esteem, confidence, supportive friends and good lines of communication with a trusted adult can help prevention.

The school will therefore:

- establish and maintain an ethos where children feel secure and 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 or in difficulty;
- include in the curriculum, material that will help children develop realistic attitudes to the responsibilities of adult life, particularly with regard to childcare and parenting skills including pastoral support; and
- ensure that advertisements for employment state that the School is committed to the safer recruitment of staff and has a clear child protection policy and procedures in place.

6.0 INDUCTION AND SUPERVISION OF NEWLY APPOINTED STAFF

The induction of all newly appointed staff will include an introduction to the school's child protection policies and procedures. This should include being made aware of the identity and specific responsibilities of those staff with designated safeguarding responsibilities. New staff members will be provided with information about safe practice and given a full explanation of their role and responsibilities and the standard of conduct and behaviour expected.

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They will also be made aware of the school's personnel procedures relating to disciplinary issues and the relevant whistle blowing policy. The programme of induction will also include attendance at child protection training at a level appropriate to the member of staff's work with children.

The Senior leadership team will ensure that their staff are adequately and appropriately supervised and that they have ready access to advice, expertise and management support in all matters relating to safeguarding and child protection.

Any concerns that arise through the process of continuing supervision, which call into question the person's suitability to work with children, will be managed according to the school's employment procedures such as capability, disciplinary and / or the procedures for the management of allegations against staff (including volunteers).

6.0 CONFIDENTIALITY

- We recognise that all matters relating to Child Protection are confidential.
- The designated teacher will disclose any information about a child to other members of staff on a need-to-know basis only.
- All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.
- All staff must be aware that they cannot promise a child to keep secrets.

7.0 ABUSE

Supporting Staff

- We recognise that staff working in the School who have become involved with a child who has suffered harm, or appears to be likely to suffer harm may find the situation stressful and upsetting.
- We will support such staff by providing an opportunity to talk through their anxieties with the designated teacher and to seek further support as appropriate.

Cases where abuse may be inflicted by parents

- a) Knowledge of abuse must be reported to the designated teacher.
- b) The adult to whom abuse is reported must listen to the child and subsequently record the child's statements. Specifically he/she must not ask probing questions or suggest answers. The circumstances must be discussed with the designated teacher.

Cases where abuse may have been inflicted by staff

If an allegation is made against a member of staff action is needed straight away and with utmost discretion and referred to the appropriate person (see chart at end). A written account of the circumstances must be passed on the same day. If the allegation is made against the named person, the Headmaster will adhere to the LA guidelines. A guarantee of confidentiality cannot be given to children. Do not attempt to investigate reports of abuse.

Other parties, including staff and children are only involved/consulted as part of an investigation by the named person:

- a) if they are likely to clarify certain issues
- (b) if they need to be involved on a need-to-know basis.

The circumstances should be kept strictly confidential until the named person or other (see chart at end) has been able to judge whether or not the allegation or concerns indicates possible abuse.

Abuse of children by children:

1. Listen to the child and ascertain the seriousness of the situation.
2. Refer the matter to the Named Person.

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Types of Abuse

Physical Abuse -

results in injury to child. These can include physical signs, such as scalds or bruises, for example, which are of concern to staff.

Emotional Abuse -

results in injury to the child of a psychological nature and can include denial of love or humiliation for example. In essence it can result in a child not having a normal life experience.

Neglect –

embraces failure to provide basic necessities such as food or caring supervision.

Sexual Abuse -

involves the involvement of emotionally immature young people in sexual activity with an adult or significantly older person to which they cannot give informed consent or which breaks social taboos.

The range of possibilities, not necessarily amounting to abuse, can include being a party to inappropriate behaviour and may be referred to the Named Person.

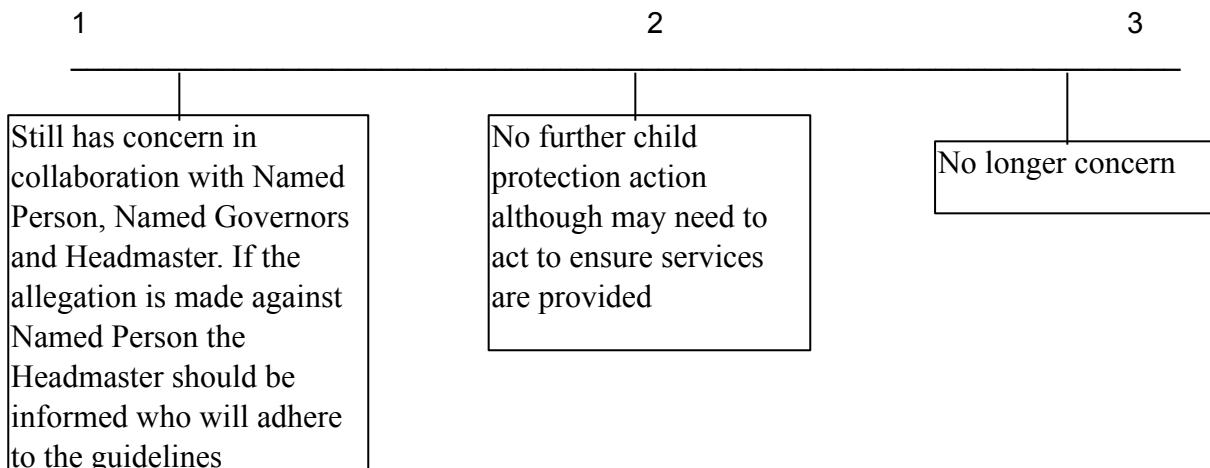
8.0 Physical Contact

A 'no touch' approach is impractical for staff working with young children. It is not possible to be specific about the appropriateness of each physical contact; staff need to use professional judgement of all types.

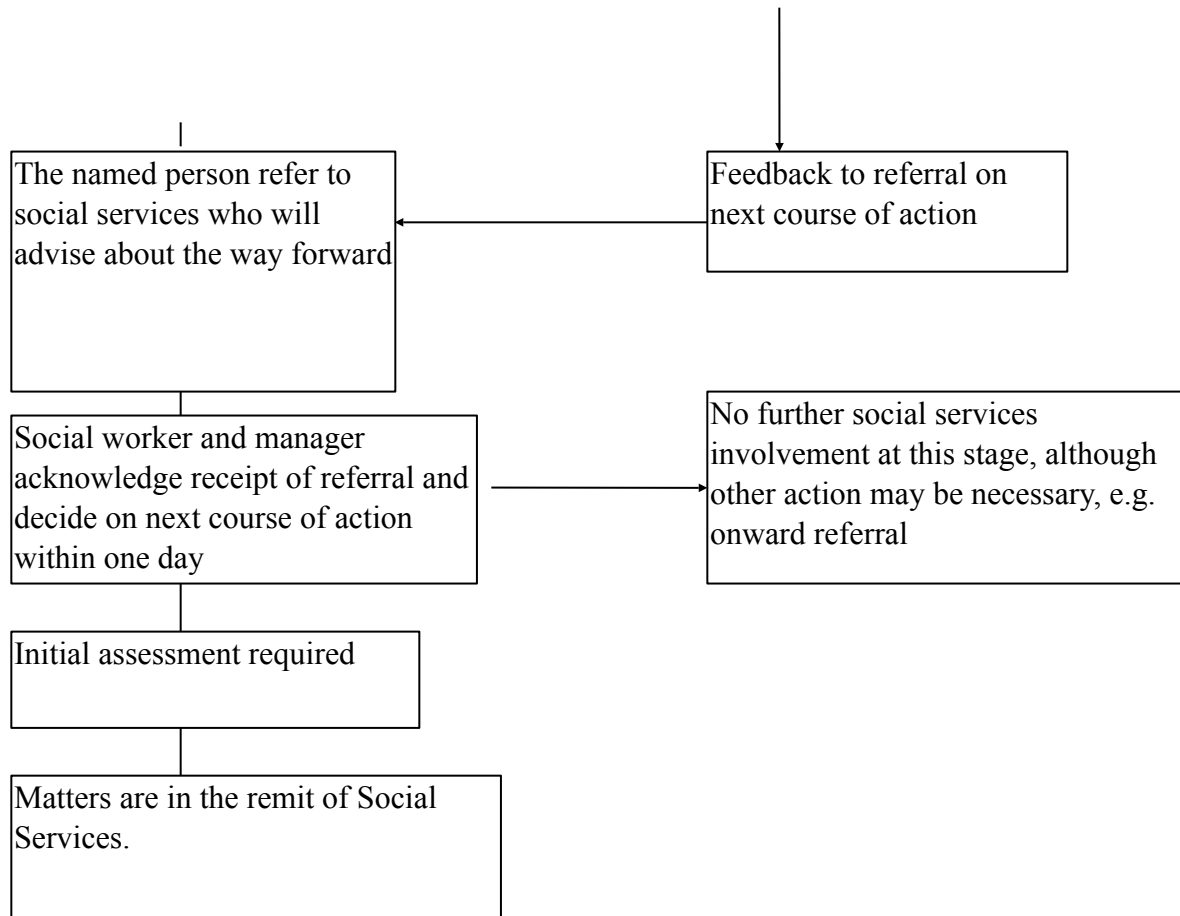
9.0 DISCLOSURE

If a disclosure is made which is suggestive of abuse the School will respond in the following way:-

- STEP A Teacher has concern about child
- STEP B Teacher discusses with named person.
- STEP C There are three potential outcomes:-



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If it is established that the allegation is not well founded, whether on the basis of medical evidence or further statements then the person against whom the complaint has been made would normally be informed that the matter is closed.

10.0 WEBSITE CHILD PROTECTION POLICY

The School operates the following policy on its website regarding the use of photographs, to ensure the privacy and safety of children at the school:

1. Where children are named, only their first names are given.
2. Where a child is named, no photograph of that child is displayed.
3. Where a photograph is used which shows a child, no name is displayed.

By observing these points, the school ensures that visitors to the website cannot link images of children to names of children. When choosing photographs for the website, the school is mindful of the way children may appear in them, and will not include images which are in any way inappropriate, such as close-up portrait shots of individual children.

The school follows a policy of seeking parents' permission before using images which show children on the website. No other private information about children is ever published on the website such as surnames or contact details.

The Proprietor of OVS will ensure that the school:

- has an up to date Child Protection Policy and copies of the Derby Safeguarding Children Board Child Protection Procedures and the policy will be made available to parents upon request;
- has copies of DfES Guidance 0027/2004 "Safeguarding Children in Education" available for members of the school staff;

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- reviews its policies and procedures on an annual basis and provides information to the Derby Safeguarding Children Board about them and how their statutory duties have been discharged;
- operates safe recruitment procedures in line with current DCFS guidance inclusive of “DfES 1568/2005 *Safeguarding Children: Safer Recruitment and Selection in Education Settings*”. (Recommendation 16 Bichard Inquiry);
- has procedures for dealing with allegations of abuse against members of staff that comply with Derby Safeguarding Children Board Child Protection Procedures and DfES Guidance 2044/2005 “*Safeguarding Children in Education: Dealing with Allegations of Abuse Against Teachers and Other Staff*”;
- ensures that the school has a designated member of the staff who will act as the schools child protection co-ordinator. The Proprietor will ensure that the designated person fulfils their responsibilities in accordance with The Designated Senior Person for Child Protection Guidance (IRSC 2005) in appendix A;
- has a protocol for dealing with children who are not collected from school at the end of the school day or activity and
- the Proprietor will take responsibility for child protection and monitors compliance with the requirements of “*Safeguarding Children in Education*” DfES/0027/2004 including identifying potential areas for improvement.

11.0 MONITORING

This policy and the Procedures that are followed as a result of, and in support of it, are reviewed regularly and amended as required, keeping them in line with current government legislation and best practice guidelines.

Signed:.....

Date:.....September 2008

To be reviewed by:.....September 2009