

# Safeguarding Policy & Procedures

## Kelvin Hall School

Policy reviewed and adopted by the Board of Trustees

**September 2023**

Version

**V1**

Date of next review:

**Autumn 1 2024**

Responsible Committee:

**Finance & Personnel**

Monitoring:

**Trust Board**

Related Policies

- Child on Child Sexual Abuse
- Health & Safety
- Recruitment (Safer) Recruitment
- Complaints Procedures
- Staff Disciplinary
- Staff Code of Conduct
- Diversity & Equality
- Staff Handbook
- Anti-Bullying
- Online Safety
- Whistleblowing
- Behaviour
- Low Level concerns

Where is this policy published?

**School Website**

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## 1 Thrive Charter

### Thrive Mission Statement

*Inspiring pupils to thrive in life*

### Thrive Values<sup>1</sup>

Thrive Co-operative Learning Trust **understands thriving to mean learning**, and *learning* to mean **growing in knowledge, self-reliance and in responsibility towards others**. Achieving this will allow pupils and staff to **develop a sense of agency and co-agency**, which is the awareness that we are powerful and can affect change, that life is something to be grasped rather than something that happens, and that we have maximum impact when **we work together for the common good**. This sense of agency plays out at three scales as it affects the future of **the individual, their community (local and national), and their planet**.

To thrive, pupils and staff need **environments that are safe, for equality to be promoted and diversity to be celebrated**, and for **wellbeing to be valued, nurtured and supported**.

- Because the service we provide is crucial to each pupil's future life chances, we ensure that **we give all pupils the opportunity to thrive**, whatever their background or perceived abilities.
- Because our task is challenging **we all strive to grow and develop**, and we support each other in this and in developing a good work-life balance.
- Because thriving happens best where adults provide pupils with a consistency of approach, **we need people who will play their part for the greater good of the team**.
- Because we serve our local communities **we act as partners in the process of assisting our children to thrive** and will work cooperatively to see this happen.
- Because leadership is a privilege **we exercise leadership in an ethical manner** and commit ourselves to upholding **The Seven Principles of Public Life**.
- Because we are facing a climate crisis **we will work towards being an environmentally sustainable organisation** and will develop pupil and staff participation in achieving this.
- Because we are funded with public money we will ensure that **we focus our resources on pupils and enable them to thrive**.

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<sup>1</sup> Thrive's values are directly descended from the [Co-operative Values](#)

## 2 Statement of Intent

Kelvin Hall School recognises that protecting and safeguarding children and young people is a shared responsibility and that this depends on effective joint working between agencies and professionals that have different roles and expertise. Individual children and young people, especially some of the most vulnerable children and those at greatest risk of social exclusion, may need coordinated help from Health, the Police and Social Care. These are the school's Safeguarding partners. The voluntary sector and other agencies also have an important role in protecting and safeguarding children.

Kelvin Hall School has a responsibility to protect and safeguard the welfare of children and young people they come into contact with. The need for guidelines and procedures is important to ensure that this is done well, with understanding and clarity.

Kelvin Hall School aims to protect and safeguard pupils by:

- Ensuring that all staff and volunteers are carefully selected, checked, vetted, trained and supervised;
- Having a Safeguarding Policy that is reviewed and updated in line with national and local developments as well as reviewed annually;
- Ensuring **all staff and volunteers** are familiar with this Policy and have read and fully understand at least Part 1 of 'Keeping Children Safe in Education (KCSiE) 2023';
- Staff involved in recruitment read and understand Part 3 of KCSiE 2023;
- Ensuring that staff / volunteers receive Safeguarding training appropriate to their role and their level of involvement. Training commences at induction and at regular intervals, at least annually;
- Ensuring that Kelvin Hall School has a Designated Safeguarding Lead (DSL) and a Deputy (DDSL) - all staff and volunteers know who these members of staff are and know how to report concerns to them;
- Monitoring and acting on pupils' online activity in school should this be a concern;
- Assessing the risk that pupils are likely to encounter and take steps to minimise and manage these;
- Letting parents/carers and pupils know how to report concerns, concerns about another pupil, a staff member/volunteer and how to complain about anything that they are unhappy about;
- Giving pupils, parents and carers information about what the school does and expectations, as well as offering different pupils different ways of reporting concerns from both in and out of school.

At Kelvin Hall School we do all we can to ensure that children are protected from harm and we aim to build resilience in our children. Staff, volunteers, governors and Trustees receive regular training, including updates and reminders, to help them in their duty of care and so that they are clear on how to respond to and report incidents. Furthermore, we have procedures in place for responding to safeguarding concerns about other organisations using the school site out of usual school hours.

## 3 National and Local Guidance

This Policy should be read in conjunction with the Hull Safeguarding Children Partnership (HSCP) guidelines and procedures. In accordance with The Children Act 2004, it is a statutory responsibility for key agencies in contact with children and young people, to make arrangements to ensure that in discharging their functions and that they have regard to the need to safeguard and promote the welfare of children (Section 11 - Children Act, 2004). Where private or voluntary organisations come into contact with, or offer services to children, they should take account of this guidance and follow it as far as possible. In line with Section 11 of The Children Act, Kelvin Hall School undertakes a comprehensive annual audit of all Safeguarding processes and procedures with any actions arising

being swiftly addressed.

### 3.1 Guidance

The following national guidance should also be referred to:

- The Children Act - 1989 and 2004
- Working Together To Safeguard Children - 2018
- Keeping Children Safe in Education: 2023
- Human Rights Act - 1998
- Criminal Justice & Court Services Act - 2000
- The Protection of Children Act - 1999
- The Sexual Offences Act - 2003
- What To Do If You're Worried A Child Is Being Abused - 2003
- Safer Working Practice for Adults who Work with Children and Young People - 2015
- Information Sharing: Guide for Practitioners and Managers - 2015

### 3.2 Relevant Policies

There is crossover with a number of other policies in place, including:

- Child on Child Sexual Abuse Policy
- Health & Safety Policy
- Recruitment (Safer Recruitment) Policy
- Complaints Procedure
- Staff Disciplinary Policy
- Staff Code of Conduct
- Diversity & Equality Policy
- Staff Handbook
- Anti-Bullying Policy
- Online Safety
- Whistleblowing Policy
- Behaviour Policy
- Low Level Concerns Policy

## 4 Safeguarding and Promoting Welfare

### 4.1 Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment;
- Preventing the impairment of children's health or development;
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care.

### 4.2 Child Protection

Child Protection is a part of safeguarding and promoting welfare, referring to action taken to protect specific children who are suffering, or are at risk of suffering, significant harm. Effective Child Protection is essential to safeguard and promote the welfare of children. Agencies should aim to proactively safeguard and promote the welfare of children so that the need for action to protect from harm is reduced.

### 4.3 Early Help

Kelvin Hall School aims to identify where early intervention is needed to support families. This is done by closely monitoring children and highlighting emerging problems - we share information with our Safeguarding partners to support early intervention/assessment. We also signpost families in need to the Early Help service. This service is not statutory so parents do need to agree to this support.

### 4.4 Children in Need

Children who are defined as 'in need' under Section 17 of the Children Act 1989, are those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health or development will be significantly impaired, without the provision of services, including children with a disability.

### 4.5 Children at Risk

Some children are at risk because they are 'suffering or likely to suffer significant harm' as defined under Section 37 of the Children Act 1989. Significant harm is the threshold that justifies compulsory intervention in family life in the best interests of the child and gives the Local Authority a duty to make enquiries and to decide whether they should take action to safeguard or promote the welfare of the child.

## 5 Who Abuses Children?

Children may be abused in a family or in an institutional or community setting, by those known to them or more rarely, by a stranger. They may be abused by an adult or adults or another child or children.

## 6 Abuse and Neglect

Abuse and neglect are forms of maltreatment of a child or young person - 'child' refers to anyone under the age of 18. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm

### 6.1 Physical Abuse:

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

### 6.2 Emotional Abuse:

Is the persistent emotional maltreatment of a child, such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only as they meet the needs of another person. It may involve seeing or hearing the ill-treatment of another or involve serious bullying (including online). Emotional abuse can cause children to frequently feel frightened or in danger, or it may involve the exploitation or corruption of children.

### 6.3 Sexual Abuse:

Involves forcing or enticing a child or young person to take part in sexual activities, including prostitution - whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative and non-penetrative acts. This includes non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities or encouraging children to behave in sexually inappropriate ways.

## 6.4 Neglect

Is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. This can also occur during pregnancy. Neglect may involve a parent or carer failing to provide adequate food, clothing and shelter, including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate carers or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness, to a child's basic emotional needs.

The above is not an exhaustive list - it should be recognised that it is not the role of school staff to make an assessment of whether children suffered harm. Staff have a duty to report any concerns in accordance with the Hull Safeguarding Children Partnership Guidelines & Procedures and by using the school's reporting methods in the first instance - covered later in this policy.

## 7 Recognition of Harm

The harm or possible harm of a child may come to your attention in a number of ways:

- Information given by the child themselves, by friends, a family member or person close to them;
- The child's behaviour may become different from the usual, be significantly different from the behaviour of their peers, be unusual or may even involve 'acting out' a harmful situation when playing;
- An injury that is suspicious as it does not make sense in light of the explanation given or the explanations differ depending on who is giving them i.e. different explanations from the parent/carers and child;
- The child appears anxious and evasive when talking about an issue;
- A number of incidents occur over time

Children also face significant risk of harm via:

### 7.1 Substance Misuse

As a result of the excessive use of alcohol, illegal and controlled drugs, solvents or related substances. The use of drugs and substances by parents/carers does not in itself indicate child neglect or abuse. It is important for agencies to assess how parental substance use impacts on the child.

### 7.2 Mental Health

Mental illness in a parent or carer does not always have an adverse effect on the child. It is important for the implications to be assessed as the adverse effects of parental mental illness on the child are less likely when problems are mild, last for a short period of time, are not associated with family disharmony and where there is another parent or family member who can respond to the child's needs and offer protection. Where mental illness is accompanied by problem alcohol use, domestic violence or associated with poverty and social isolation, children are particularly vulnerable. The link between poor mental health and the wellbeing of the child is highlighted in Keeping Children Safe in Education 2023.

### 7.3 Domestic Abuse

Children and young people can suffer directly and indirectly if they live in a household where there is domestic abuse, this is either as the victim or as a witness. They may see or hear incidents in the home. This is likely to have a damaging effect on the health and development of the child. Staff should also be aware of the relationship between domestic abuse and neglect of children as well as having an awareness that a partner can be controlled by the restriction and control of finance within the family home. Kelvin Hall School works hard to support all



siblings where intra-familial harm has occurred.

Domestic abuse can impact children in a number of ways:

- It can pose a threat to the physical wellbeing of an unborn child if a mother is assaulted;
- Children may suffer injuries as a result of being caught up in violence;
- Children become distressed by witnessing the physical and emotional suffering of a parent;
- The physical and psychological abuse suffered by an adult victim can have a direct negative impact on their ability to look after their children;
- The impact of domestic abuse is exacerbated when the violence is combined with problematic alcohol or drug use.

#### 7.4 Controlling Behaviour

A range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

#### 7.5 Coercive Behaviour

Acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten the victim.

#### 7.6 Child on Child Abuse

Includes all forms of bullying - verbal, physical and emotional, sexual harassment and comments, including being coerced into sending sexual images, upskirting, physical or sexual violence and exploitation or teenage relationship abuse. This includes online bullying via phones and on social media. At Kelvin Hall School we are proactive in this area and we adhere to the guidance and processes in our Child on Child Sexual Abuse Policy (available on request).

A pupil against whom an allegation of abuse has been made, may face sanctions as per the Behaviour Policy and the school may need to work with Social Care and/or the Police to take appropriate action, as detailed in the Thrive Trust Child on Child Sexual Abuse Policy. It is made clear to pupils that the school processes and the law are in place to protect and that 'banter' is not an acceptable reason or excuse for any form of sexual harassment.

#### 7.7 Child Sexual Exploitation (CSE)

Is when a child is rewarded with food, accommodation, drugs, alcohol, cigarettes, affection, gifts or money in return for performing sexual activities, or for allowing another person to perform sexual activities on the child.

Significant indicators can include:

- Having a relationship of concern with a controlling adult (this may involve physical and/or emotional abuse and/or gang activity);
- Being in a vehicle driven by an unknown adult;
- Possessing unexplained money, expensive clothes or items;
- Frequenting areas known for risky activities;
- Unexplained contact with hotels, taxis and take-aways.

#### 7.8 Child Criminal Exploitation (CCE)

A form of abuse where an imbalance of power is used to force, deceive or manipulate a child into criminal activity. Some specific forms include children being forced to work in cannabis factories, shoplifting or pickpocketing. They

can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to others.

Children can become trapped by this type of exploitation as perpetrators can threaten victims (and their families) with violence, or entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals, (particularly older children), and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to.

It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however please be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

### 7.9 Serious Violence

Children may be at risk from, or involved in violent crime, led by individuals, gangs and/or criminal networks.

### 7.10 County Lines

This means when illegal drugs are transported from one area to another, often across Police and Local Authority boundaries. Children are usually rewarded or forced to do this by gangs. Violence and crime are often closely linked.

### 7.11 Female Genital Mutilation

All procedures involving removal or partial removal of the female genitalia or injury to the female genitals. It is illegal in the UK and is a form of child abuse that has long-lasting harmful consequences. Staff in schools must directly report to the Police where FGM appears to have been carried out or if there is suspicion that it is planned. It is illegal for someone to arrange for a child to have this procedure.

### 7.12 Radicalisation and Extremism

Is the process by which people come to support terrorism and have extreme views and, in some cases, to then join terrorist groups. The process of radicalisation can be different for every individual and can happen over an extended period or over a short time-frame. At Kelvin Hall School we help our pupils become resilient to the messages of extremists by encouraging the understanding and value of others, by encouraging the appreciation of diversity and developing skills in children so they are able to debate. The curriculum supports and explores the values of different faiths and cultures. At Kelvin Hall School, we recognise that certain children will be more susceptible to radicalisation and, as such, we remain vigilant to this. We understand that any referral requires the individual's consent.

Should there ever be any concerns of radicalised or extremist behaviours, this will be dealt with in conjunction with Humberside Police.

### 7.13 So Called 'Honour Based Abuse'

Incidents or crimes that may have been committed to protect or defend the 'honour' of a family or community. These are often linked to family members who believe someone has brought shame on their family or community

by behaving in a way that is not in keeping with the traditional beliefs or culture.

### 7.14 Forced Marriage

A crime in England and Wales, whereby a marriage is entered into without the consent of one or both parties. Threats and punishment to partake can be physical and emotional. From February 2023, it became a crime to carry out any conduct whose purpose is to cause a child to marry before their eighteenth birthday, even where violence, threats or other coercion is not used.

## 8 Managing Allegations

All staff are made aware that some children may not feel ready or know how to tell someone that they are being abused. We regularly remind children of the different staff members they can speak to and we have posters up in classrooms and around the building.

If a child makes an allegation of a serious nature to a staff member, it is important that, as far as possible, these basic principles are followed:

- Listen to what the child has to say with an open mind;
- Do not ask probing or leading questions designed for the child to reveal more - try to use 'TED' to help... Tell me, Explain, Describe;
- Never stop a child who is freely recalling significant events;
- Take note of the discussion, record the time, setting and people present;
- Never promise the child that this can be kept secret and explain that you must pass this on to someone else;
- Inform the DSL/DDSL via the school's usual reporting processes.

## 9 Special Educational Needs & Disabilities (SEND)

As an inclusive school, staff understand that children with SEND may be more vulnerable to abuse and are more likely to be targeted due to the difficulties they may have in communicating what is happening to them. Therefore staff ensure that children with SEND are responded to carefully when they have, or show signs of, concern. Staff are trained to be very vigilant when working with children with additional needs as these children may not communicate their feelings verbally. The SEND Code of Practice - 2015, is a valuable source of information as is the support of specialist advocacy services such as SENDIASS. Furthermore, provision within the Equality Act 2010 includes reasonable adjustments for disabled children.

## 10 Children Absent from School and Children Missing from Education (CME)

Children are best looked after and protected by attending school regularly; they will be safe from harm and professionals monitor their wellbeing. We encourage the full attendance of all our pupils at all times. We act early on the first day of absence and escalate our actions and support as necessary, until the pupil returns to school. Where this has not been achieved and we are unclear as to the child's whereabouts we may have concerns that a child is 'missing from education' (CME). In these cases, we always follow Hull City Council protocols by referring to the Education Welfare Service and to the CME Officer who will make efforts to identify the child's whereabouts. The child will not be removed from our school roll until notified by the CME Officer that it is appropriate to do so.

## 11 The Designated Safeguarding Lead (DSL) & Deputy Designated Safeguarding Lead (DDSL)

The DSL is Claire Grandidge and the responsibilities of the role include:

- Monitoring and recording concerns about the wellbeing of pupils;

- Making referrals to Social Care;
- Liaising with the other Safeguarding partners - Health and the Police;
- Arranging training for staff / volunteers;
- Initiating and/or attending relevant multi-agency meetings regarding any pupil;
- Monitoring and acting on pupils' online activity in school, should this be a concern.

The DSL may share limited information on a 'need to know basis' amongst the staff/management whilst respecting the need for confidentiality. **It is not** the DSL's role to undertake an investigation into any concerns or allegations of harm. **It is** the DSL's role to collate and clarify details of the concern or allegation and to provide this information to Social Care.

The Deputy Designated Safeguarding Lead (DDSL) is Elisha Wilson and supports the work of the DSL and can undertake and fulfil every aspect of the DSL role.

### 12 Seeking Consent for a Referral

In general, concerns should be shared with the family and their agreement prior to making a referral to Social Care should be gained only when this will not place the child at an increased risk of harm.

Parents/carers or the child may not agree to information being shared, yet this should not prevent referrals where Safeguarding concerns persist. The reasons for dispensing with consent from the parent/carer or child must be clearly recorded.

In cases where an allegation has been made against a family member living in the same household as the child and discussing the matter with the parent would place the child at risk of harm, or where discussing it may place a member of staff/volunteer at risk, consent does not have to be sought prior to the referral being made.

The Early Help and Safeguarding Hub (EHASH) will give advice via a duty Social Worker.

### 13 Reporting Concerns or Allegations of Abuse

All staff must report any concerns or allegations of harm immediately to the DSL via the school's reporting procedures - CPOMS. In the absence of the DSL, the DDSL must be informed.

In the unlikely event of the absence of the DSL and the DDSL, staff must report to a member of the Senior Management Team.

### 14 Making an External Referral

Referrals of all children in need, including those where there are Safeguarding concerns will be made to: Children's Social Care via EHASH or to the Police - Protecting Vulnerable People Unit. All referrals made by telephone must be recorded as soon as possible.

The DSL should make a detailed and accurate referral, giving the following information:

- The nature of the concern/allegation;
- Whether the child will need immediate support to ensure their safety;
- Whether parents are aware, if consent for the referral has been sought and if not, why;
- Factual information about the child and family, including siblings;

- Other professionals involved with the family;
- The source of the referral;
- The child's current whereabouts and when they were last seen;
- The source of the harm.

## 15 Allegations Against Staff/Volunteers

Any member of staff/volunteer who has concerns about a colleague must report this to the Headteacher/Head of School immediately. The Executive Headteacher/Headteacher/Head of School will report the matter to the Trust Safeguarding Lead, who will liaise with the Local Authority Designated Officer (LADO) This may include behaviour outside of school as the 'transfer of risk' to children would need to be assessed as per KCSiE 2023.

If the allegation concerns the Executive Headteacher/Headteacher/Head of School, the concern must be shared with the Chair of Governors who will contact the Trust Safeguarding Lead immediately.

In cases where there is an immediate risk to a child, the information must be passed to Social Care or the Police with urgency.

Updates and reviews from national cases make it clear that learning lessons applies to all cases, not just those which are concluded and found to be substantiated. All cases in Thrive Trust schools are reviewed by the People Development Lead and the Trust Safeguarding Lead to ensure lessons learned are acted upon.

Arrangements are in place to ensure adults who use our premises to run clubs and events out of school hours have the relevant checks, safeguards and processes in place. Should anything come to light that is a wellbeing or safeguarding concern, we will take our usual steps, whether the concern relates to children on the school roll or not.

## 16 Low Level Concerns

Concerns and/or allegations that do not meet the 'harm threshold'

Kelvin Hall School manages these concerns/allegations via the Trust's 'Low-level Concerns Policy' as part of the whole-school approach to Safeguarding, to ensure an open and transparent culture in which any concerns regarding any adults working in or on behalf of the school including agency staff, volunteers and contractors, are dealt with promptly and appropriately. The policy can be found on the Thrive Trust intranet.

## 17 Seeking Medical Attention

If a child has a physical injury that school staff believe requires medical attention, the school will contact the parent and advise them to see a doctor, take the child to a walk-in centre or to A&E.

If school believes that the injury may have resulted from abuse, procedures for referring a Safeguarding concern to Children's Social Care are then followed.

If any injury remains untreated, this may well indicate neglect and the school will monitor the situation closely, taking advice from or referring to Children's Social Care.

## 18 Staff & Volunteer: Safe Working Practice

Adherence to guidelines on self-protection for staff and volunteers working with children can help to avoid vulnerable situations where false allegations could be made. These include:

- Avoiding situations where a staff member or volunteer is on their own with a child;
- In the event of an injury to a child, accidental or not, ensuring that it is recorded and witnessed by another adult in the Accident Book;
- Maintaining written records of any allegations a child makes against staff and volunteers and reporting these in line with this policy;
- If a child touches a staff member/volunteer inappropriately, recording what happened immediately and inform the DSL;
- Following the school's Behaviour Policy.

## 19 Code of Practice

Staff should always:

- Take any allegation, suspicion or concern about abuse seriously, including those made against staff and report these;
- Provide an opportunity and a culture for children to talk to others regarding any concerns they may have;
- Provide an environment that encourages children and adults to feel comfortable and confident in challenging attitudes and behaviours that may discriminate against others. Risk-assess situations and activities to ensure all potential dangers have been identified and planned for;
- Treat others with dignity and respect;
- Adhere to the Staff Code of Conduct - as per Safer Recruitment guidance in KCSiE 2023, the need for ongoing vigilance is stressed and staff are reminded that this extends to their own behaviour out of school, including online.

Staff should not:

- Permit or accept abusive or discriminatory behaviour;
- Engage in inappropriate behaviour or contact;
- Use inappropriate or insulting language;
- Show favouritism to any child or give personal money;
- Undermine or criticise others.

## 20 Recruitment & Selection

Potential staff and volunteers are checked and vetted for their suitability to work with children as per the Recruitment (Safer Recruitment) Policy. This includes:

- Completing an application form, including details of previous employment, full educational and employment history as well as documented reasons for any gaps in employment, details of any conviction for criminal offences (including spent convictions under the Rehabilitation of Offenders Act - 1974) agreement for an enhanced Disclosure & Barring Service (DBS) check;
- Two satisfactory references, including the current or most recent employer - where the referee is school-based, the request will ask that the reference is confirmed as accurate by the Headteacher in respect of disciplinary investigations;
- Verification of the candidate's identity, including checking the name on the birth certificate where this is available;
- Verification of eligibility to work in the UK;

- Verification of the candidate’s mental and physical fitness to undertake the duties of the role, with reasonable adjustments if applicable;
- Overseas criminal records check or Certificate of Good Conduct (where applicable) and (for teaching posts) Letter of Professional Standing from the relevant regulatory authority where the applicant has worked overseas as a teacher (if applicable);
- For teaching posts, verification of successful completion of statutory induction period if relevant - applicable to those who obtained QTS after 7 May 1999;
- Verification of educational and professional qualifications;
- For teaching posts, confirmation that the candidate is not subject to a Prohibition Order as issued by the Secretary of State or has any current sanctions or restrictions imposed;
- Verification that the individual has not been disqualified from working with children under the Childcare Act 2006, if applicable;
- All staff in a management position are subjected to a Section 128 check;
- All staff are checked against The Barred List;
- All new staff receive and complete Safeguarding induction and training, including the latest KCSiE as well as regular updates in line with the rest of the staff team;
- The potential staff member or volunteer will be interviewed for their suitability for the post;
- Non-teaching staff and volunteers will be subject to a probationary period of 6 months, during which they will be supervised with monthly meetings taking place with their manager / supervisor to identify any concerns, training and support if needed.
- As part of due diligence, all short-listed candidates will be subject to an online check of public domains. This is made clear at all stages of the recruitment process - advert, application form and in the Job Applicant Privacy Statement.

## 20.1 Disclosure and Barring Service

A person who is barred from working with children will be breaking the law if they work/try to gain employment/volunteer to work with children. All employees, volunteers, governors and Trustees are subject to DBS checks inline with the Trust DBS Policy. The DBS Policy can be found on the Trust intranet. Should Kelvin Hall School knowingly employ someone who is barred from working with children, this would also constitute breaking the law. If there is an incident where a member of staff/volunteer is dismissed having harmed a child, or may have if they had not left, the DBS will be notified.

## 21 Children in Local Authority Care (CLA)

Kelvin Hall School aims to tackle any underachievement of children in care and to bring their achievement in line with their peers by always considering how the school could more effectively meet the needs of children in care. To this end, every child in care will have a carefully detailed and monitored Personal Educational Plan (PEP) that aims to overcome barriers to educational success. In a general sense, the barriers include:

- Lack of effective advocacy, stability and continuity due to moves of placement and school;
- Prolonged periods out of school.

### 21.1 Designated Teacher Responsibilities

There is a Designated Teacher at Kelvin Hall School to champion the needs of CLA, provide training for staff regarding issues related to CLA and to maintain positive working relationships with Social Care.

- The Designated Teacher for Children Looked After is Amy Jarvis-Johnson and the Governor responsible for Children Looked After Julie Lynch.

## 22 Hull Contacts

|  |  |
|--|--|
| EHASH                                      | 01482 448879   |
| Emergency Duty Team (Out of Hours)         | 01482 300304   |
| Local Authority Designated Officers (LADO) | 01482 790933<br>07935 209435<br>07710 119092<br>01482 613372 |
| Humberside Police (Public Protection Unit) | 01482 356404   |

### Appendix 1: Allegations of Abuse Made Against Staff<sup>2</sup>

This section is based on 'Part 4 - Allegations That May Meet the Harm Threshold' Keeping Children Safe in Education.

#### Section 1: Allegations that may meet the Harms Threshold

Thrive Co-operative Learning Trust promotes an open and transparent culture in which all concerns about adults working in or on behalf of the school are dealt with, promptly and appropriately. Creating a culture in which all concerns are shared responsibly, in a timely way with the right person, and are recorded and dealt with appropriately is critical to effective safeguarding practice. This culture enables the school to identify concerning, problematic or inappropriate behaviour at the earliest possible stage, minimises the risk of abuse and ensures that all adults working in or on behalf of the school are clear about professional boundaries and act within these, in accordance with our ethos and values. This culture also empowers individuals to share concerns with key staff about their own behaviour at the earliest possible opportunity.

#### Principles

This section applies to all cases in which it is alleged that a current member of staff, including a supply teacher, volunteer or contractor, has:

- Behaved in a way that has harmed a child, or may have harmed a child, and/or
- Possibly committed a criminal offence against or related to a child, and/or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children, and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children – this includes behaviour taking place both inside and outside of school

We will apply the same principles as those contained in the Safeguarding Policy and follow the Hull Safeguarding Children Partnership Procedures. Detailed records will be made to include decisions, actions taken, and reasons for these. All records will be retained securely.

We will deal with any allegation of abuse quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

A 'Investigating Officer' will lead any investigation.

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<sup>2</sup> [Keeping Children Safe in Education](#)



## Suspension of the accused until the case is resolved

Suspension of the employee will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that there might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative. A supportive point of contact at the Trust will be allocated.

Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the school so that the individual does not have direct contact with the child or children concerned;
- Providing an assistant to be present when the individual has contact with children;
- Redeploying the individual to alternative work in the school so that they do not have unsupervised access to children;
- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents/carers have been consulted;
- Temporarily redeploying the individual to another role in a different location, for example to an alternative school within the Trust.

If in doubt, the Investigating Officer will seek views from the People Development Lead (HR) and the designated officer at the local authority, as well as the police and children's social care where they have been involved.

## Definitions for outcomes of allegation investigations

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive, or to cause harm to the subject of the allegation
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made

## Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the investigating officer will take the following steps:

- Conduct basic enquiries in line with local procedures to establish the facts to help determine whether there is any foundation to the allegation before carrying on with the steps below
- Discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services.
- Inform the employee of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children's social care services, where necessary). Where the police and/or children's social care services are involved, the Investigating Officer will only share such information with the individual as has been agreed with those agencies.
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the school is justified or whether alternative arrangements such

as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate

- Where the Investigating Officer is concerned about the welfare of other children in the community or the individual's family, they will discuss these concerns with the LADO and make a risk assessment of the situation. If necessary, the LADO may make a referral to children's social care
- **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within one working day, and the individual will be given a named contact at the school and their contact details
- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or children's social care as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate. Advise colleagues of the Trusts counselling service and Trade Union representation.
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care and/or the police, if applicable). The Investigating Officer and DSL will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice
- Keep the parents or carers of the child/children involved informed of the progress of the case (only in relation to their child – no information will be shared regarding the staff member)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child
- Consider making a referral to the Teacher Regulation Agency at times on the advice of the LADO.

If the school is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the Teaching Regulation Agency.

Where the police are involved, wherever possible the school will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the school's disciplinary process, should this be required at a later point.

### Additional considerations for supply teachers and all contracted staff

If there are concerns or an allegation is made against someone not directly employed by the school, such as a supply teacher or contracted staff member provided by an agency, we will take the actions below in addition to our standard procedures.

- We will not decide to stop using an individual due to safeguarding concerns without finding out the facts and liaising with our LADO to determine a suitable outcome
- We will discuss with the agency whether it is appropriate to suspend the individual, or redeploy them to another part of the school, while the school carries out the investigation
- We will involve the agency fully, but the school will take the lead in collecting the necessary information and providing it to the LADO as required
- We will address issues such as information sharing, to ensure any previous concerns or allegations known to the agency are taken into account (we will do this, for example, as part of the allegations management meeting or by liaising directly with the agency where necessary)

When using an agency, we will inform them of our process for managing allegations, and keep them updated about our policies as necessary, and will invite the agency's HR manager or equivalent to meetings as appropriate.

We will deal with all allegations as quickly and effectively as possible

### Specific actions

#### **Action following a criminal investigation or prosecution**

The Investigating Officer will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

#### **Conclusion of a case where the allegation is substantiated**

If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the school will make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the school will consider whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching.

#### **Individuals returning to work after suspension**

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the Head/Head of school will consider how best to facilitate this.

#### **Unsubstantiated, unfounded, false or malicious reports**

If a allegation is:

- Determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to children's social care may be appropriate.
- Shown to be deliberately invented, or malicious, the school will consider whether any disciplinary action is appropriate against the individual(s) who made it.

### Confidentiality and information sharing

The school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The Investigating Officer will take advice from the LADO, police and children's social care, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared;
- How to manage speculation including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality;

- What, if any, information can be reasonably given to the wider community to reduce speculation;
- How to manage press interest if, and when, it arises.

### Record-keeping

The Investigating Officer will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case.

The records of any allegation that, following an investigation, is found to be malicious or false will be deleted from the individual's personnel file (unless the individual consents for the records to be retained on the file).

For all other allegations (which are not found to be malicious or false), the following information will be kept on the file of the individual concerned:

- A clear and comprehensive summary of the allegation;
- Details of how the allegation was followed up and resolved;
- Notes of any action taken, decisions reached and the outcome ;
- A declaration on whether the information will be referred to in any future reference.

In these cases, the school will provide a copy to the individual, in agreement with children's social care or the police as appropriate.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

### References

When providing employer references, we will:

- Not refer to any allegation that has been found to be false, unfounded, unsubstantiated or malicious, or any repeated allegations which have all been found to be false, unfounded, unsubstantiated or malicious;
- Include substantiated allegations, provided that the information is factual and does not include opinions.

### Learning lessons

After any cases where the allegations are *substantiated*, the Headteacher/People Development Lead/Pastoral Development Lead/DSL will review the circumstances of the case to determine whether there is any learning that we can make to the school's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff;
- The duration of the suspension;
- Whether or not the suspension was justified;
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual;

For all other cases, the Investigating Officer will consider the facts and determine whether any improvements can be made.

### Non-recent allegations

Abuse can be reported, no matter how long ago it happened. We will report any non-recent allegations made by a child to the LADO in line with our local authority's procedures for dealing with non-recent allegations.

Where an adult makes an allegation to the school that they were abused as a child, we will advise the individual to report the allegation to the police.

## Section 2: Concerns that do not meet the Harm Threshold

The section is based on 'Section 2: Concerns that do not meet the harm threshold' in part 4 of Keeping Children Safe in Education.

This section applies to all concerns (including allegations) about members of staff, including supply teachers, volunteers and contractors, which do not meet the harm threshold set out in section 1 above.

Concerns may arise through, for example:

- Suspicion;
- Complaint;
- Disclosure made by a child, parent or other adult within or outside the school;
- Pre-employment vetting checks

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

### Low-level Concerns

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to share low-level concerns so that they can be addressed appropriately. The Trust Low Level Concerns policy guides and directs this work. The policy can be found on the Thrive Trust intranet.