ARK KINGS ACADEMY SAFEGUARDING POLICY

Date of last review:	September 2015	Review period:	1 year
Date of next review:	August 2016	Owner:	Designated Senior Lead
Type of policy:	Network	LGB or Board approval:	Board approves network policy; LGB signs off for school

Named staff with designated responsibility for Safeguarding

Academic year	Designated Safeguarding Lead	Deputy Designated Safeguarding Lead	Additional trained staff	Nominated Safeguarding Governor	Chair of Governors	Local Authority Designated Officer (LADO)
2014/2015	Sean McCay (Vice Principal)	Ryan Jackson (Head of Year Learning)	Chris Varley (SSM) Roger Punton (Principal)	Andrew Nabbs	Jane Nelson	Micho Moyo

1. Introduction

1.1 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.

1.2 Every Ark academy aims to protect and promote the welfare of its students. We all recognise that abuse and neglect can and do happen, at home and elsewhere, and we are often the first to see the signs and we are individually and collectively responsible for making sure that these are acted on.

1.3 We know that we must have robust procedures that make sure that everyone knows what actions to take and when and never lose sight of the child and of their immediate and longer term needs. To ensure this happens, Ark commits that we will;

- 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.
- Set clear safeguarding procedures and make sure that everyone in our schools understands and follows them.
- 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.
- Train our staff in the implementation of these and all other relevant to safeguarding.
- Review the outcomes of our work to make sure that we continue to strike the right balance.

1.4 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.

1.5 This safeguarding policy has been developed in accordance with the

principles established by the Children Act 1989 and 2004 and Education Act 2002 s.157. 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 of their Local Safeguarding Children's Board, in particular, the policy is consistent with the child protection procedures outlined in the following statutory guidance:

- 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)
- Keeping Children Safe in Education (July 2015)

2 Aims

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

- 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;
- 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 at risk of harm, and to ensure the academy contributes to assessment and support for those students alongside other agencies e.g Social services, Children with Disabilities Teams, School Nurse, 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;
- Develop a structured procedure and framework within the academy that will be followed by all members of the school staff in cases of suspected abuse or neglect;
- Develop and promote effective working relationships and appropriate information sharing with other agencies, especially the Police and the relevant Social Care team; 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.

3 Scope

3.1 This policy applies to all staff, governors, volunteers and Trustees working in or on behalf of the academy, including those in the central team, and we will make the policy available on our academy's web sites.

4 Safeguarding Procedures, policies and information

4.1 Abuse

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

4.1.2   A child may be abused if someone inflicts harm upon them or fails to act to prevent harm. 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.

4.1.3   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. They may be abused by an adult or adults or another child or children. 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.

4.1.4   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
• Truanting, fabricating or stealing
• Inability to trust others and make friends
• Deterioration in general well being
• Comments or language from the child that cause concern

4.2 **Identifying & Raising Concerns**

4.2.1 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 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).

4.2.2 In addition to this, the academy Designated Safeguarding Lead must advise the Head of Safeguarding of any Safeguarding issue which;

- 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.

4.2.3 Detailed reporting procedures for each academy will be found in **Appendix A.**

4.3 **Induction**

4.3.1 In recognition of the vital importance safeguarding plays in our academies, all staff are informed of their academy's Safeguarding Procedures as part of their induction when they start at the academy and will receive refresher training annually or at reasonable periods which Ark deems to be approximately. Safeguarding Training for whole school staff best practice annually but at no less than 3-yearly to ensure staff understand their role in safeguarding young people.

4.4 DBS

4.4.1 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.

4.4.2 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) will be checked every four years. Notwithstanding paragraphs 4.2 and 4.3, all academies will comply with DBS requirements as set out in Part Three of Keeping Children Safe in Education (July 2015).

4.4.3 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.

4.5 Information and Guidance

4.5.1 More generally, each academy will insert in **Appendix A** of this document a series of documents or links to documents specific to their academy and addressing the following topics;

Anti – Bullying
Images
Attendance/Children Missing from Education
E-Safety
Whistleblowing
Use of Physical Intervention /Positive Handling
Staff code of conduct
Safeguarding -Reporting procedures for staff.
Safeguarding -Complaints against a member of staff.
Management of Safeguarding (including Responding to Disclosures and a protocol for interacting with third parties)

4.5.2 Each academy may wish to include documentation or links to documentation in addition to those listed above.

4.6 **Appendix B** contains the documents referred to in paragraph 1.5 or links to those documents.

4.7 **Appendix C** contains the following documents or links to those documents highlighted in Keeping Children Safe in Education (July 2015), as being specific safeguarding issues;

Child missing from education
Child missing from home or care
Child sexual exploitation
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
Mental health
Private fostering
Preventing Radicalisation
Sexting
Teenage relationship abuse
Trafficking

4.8   The academy Designated Safeguarding Lead (DSL) will ensure, in conjunction with the priorities of the Local Children's Safeguarding 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.

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

5.   Supporting the child and partnering with parents

5.1   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.

5.2   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.

5.3   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.

5.4   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.

6.   Roles and Responsibilities

6.1   The Ark Schools Board

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

6.1.2   This responsibility is invested in the Director of Primary Education who is the network's Designated Safeguarding Lead.

6.1.3   Responsibility for Safeguarding (other than safer recruitment) is then delegated by the **Network's Designated Safeguarding Lead** delegated 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. Support to the network's Designated Safeguarding Lead is provided by the network's professional lead.

Head of Safeguarding.

6.1.4   Responsibility for ensuring compliance with safer recruitment is delegated by the network's Designated Safeguarding Lead to the academy's **Principal,** supported by the central HR team which provide policy guidelines to all ARK academies. Responsibility for ensuring that the academy complies with these set policies is delegated to the **Designated Safeguarding Lead** in each academy. Training on these responsibilities is provided by Ark.

6.2   The Principal or Head Teacher

6.2.1   The Principal or Head Teacher 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 local **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 responsibilities; and
- 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 6.3 are fully carried out.

6.3   The Designated Safeguarding Lead in the Academy

6.3.1   The Designated Safeguarding Lead is the lead officer within the academy for Safeguarding and has the following responsibilities.

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.

Training

- Receive appropriate training carried out every two years
- Understand the assessment process for providing early help and intervention e.g early help assessments
- 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.
- Be alert to the specific needs of children in need, those with special educational needs 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 training refresher annually and updated training every 3 years.

Referrals and casework

- Act as a source of support, advice and expertise within the academy;
- Refer all cases of suspected abuse to the local authority children's social care and:
    - Network DSL/The LADO for all cases which concern a staff member
    - Networks DSL/ HR/DBS for cases where a person has left due to risk/harm to a child
    - Network DSL/ 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.
- 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 issues and ongoing investigations with particular reference to paragraph 4.2.2, and ensure there is always cover for their role

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.

- keep detailed, accurate, secure written records of all child protection concerns and any related referrals;
- when a child leaves the academy, ensure that the child protection file is copied for the new academy as soon as possible and transferred to the new academy 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 annually to the Local Governing Body on child protection issues in the academy.

Ensuring that all staff and volunteers:

- fully comply with the Academy's policies and procedures;
- attend appropriate training;

6.4   The Local Governing Body

6.4.1 The Local Governing Body will require **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.

6.4.2 The Local Governing Body will monitor the following. That:

- the academy has a 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 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 staff and volunteers that comply with guidance from 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 Designated Safeguarding Lead undertakes training in child protection and inter- agency working to Local Safeguarding Children Board (LSCB) standards at two yearly intervals;
- all staff who work with children undertake training in their Safeguarding responsibilities on a refresher basis annually and appropriate training carried out every 3 years;
- a governor is nominated to be responsible for liaising with partner agencies and Ark's Director of Education in the event of allegations of abuse being made against the Principal;
- a nominated 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.

6.4.3   To support LGBs in their responsibilities, it is recommended that Chairs and Safeguarding Link Governors should undertake the same safeguarding training as the general staff in their academies and have that training refreshed in line with those members of staff.

7.   Adoption of this Policy by the academy's LGBs

7.1   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.

APPENDIX A

Anti-Bullying Policy

http://arkkingsacademy.org/policies/anti-bullying-policy

Images Policy

ARK Kings Academy takes seriously its responsibility to protect and promote the safety and welfare of our students. We recognise this responsibility extends to how we manage the use of still and video images of students and have put in place appropriate safeguards.

We write to all parents to inform them that their child's image may be used in in marketing, promotional and educational material produced by ARK Kings Academy and the wider ARK Schools network. Parents are asked to sign a release form (see below for details) and have the right to opt-out. Where parents have opted , we take steps to ensure their child's image is not identifiable in any of our materials.

SAMPLE RELEASE STATEMENT
All parents are asked to sign up to the following statement:

I give permission for my child's image to be used by the Academy in publications and for ARK School-related publicity.

E-Safety

New technologies bring new opportunities, but they also bring unfamiliar risks. This Section sets out
- Guidance on supporting the efforts of parents to manage the risks;
- Guidance on empowering children and young people to recognise the risks and take appropriate action to avoid or respond to them;
- Some particular issues which may cause concern about the welfare of children;
- The circumstances in which a referral to children's social care should be made; and
- Some other sources of advice and guidance on these issues.

1.   GUIDANCE
Working Together to Safeguard Children [2010] Chapter 11 Paragraph 11.93 – 11.97

2.   INTRODUCTION

2.1   Electronic media are widely used and much valued by both adults and children, but young people are often assumed to have greater knowledge and experience in this area than the adults who are responsible for their welfare. This can raise safeguarding issues, for example –
- Children and young people may be confident about using the internet while lacking the maturity and awareness necessary to keep themselves safe online; and

- Adults may underestimate how frequently children and young people come across inappropriate and potentially harmful material on the internet and may be unsure about what they should do about it.

2.2   New technologies, and the advances in communication they make possible, provide new opportunities but also bring unfamiliar challenges, some of which represent risks for children and young people. These risks can be grouped into three broad categories –
- Exposure to inappropriate content;

- Exposure to risky contacts; and

- Inappropriate conduct by the children and young people themselves, for example bullying.

2.3   Agencies working with children, adults and families should be aware of the risk that:
- An adult or older child may view, download and transmit images of child sexual abuse.
- An adult or older child may groom a child for involvement in making images of abuse and/or by showing the child images of abuse; and

- A child may be abused in order that the images may be distributed on the internet or by mobile telephone.

3.   RAISING AWARENESS FOR PARENTS AND YOUNG PEOPLE

3.1   Parents have a responsibility to monitor and control their children's access to communication technology, just as they have a responsibility to monitor and control their children's movements and activities. The primary role of the professional is to support the efforts of parents to promote the welfare of their children. If it appears that a child may be at risk through the parents' lack of awareness, the first response from professionals should be to provide information and advice.

3.2   It is not acceptable for parents, or for professionals who work with children, to abdicate this

responsibility on the grounds that they lack the necessary technical knowledge: there are resources available to teach digital literacy, digital citizenship and digital resilience. Further information about this will be available from each agency's e-safety lead.

3.3   It is neither appropriate to try to eliminate all risks nor possible to do so: learning to deal with risk is an inherent part of a child's development. The aim of any e-safety policy is to ensure that the level of risk at any time is not unacceptably high, and to empower parents, children and young people to identify concerns and to manage the risks. This needs to take into account each child's individual strengths, vulnerabilities and stage of development.

3.4   If they are to use electronic media confidently and safely, children and young people need to be aware of:

- How to avoid, recognise and report inappropriate content;
- The need for caution about putting personal details on the web;
      This includes understanding what is meant by personal details, including address, school, email address, mobile phone number Blackberry PIN etc.

And

- The need to think carefully before putting any information or pictures online.
      This may feel like a private activity, but the internet is a public place.

3.5   The management of these risks does not require staff to take on unique roles and responsibilities: professionals should support the efforts of parents to safeguard the welfare of their children. Child protection issues arise only when the child seems to be at risk of harm from the actions of their parents, or when the parents or carers fail to take appropriate action to protect the child even after they have been given information and advice.

4.   CONCERNS ABOUT THE WELFARE OF CHILDREN

4.1   Any concerns which involve a particular child should firstly be discussed with the child's parents, unless the parents seem to be the source of the risk. The worker should seek to help the parent identify ways to address the issues. If the parent's response appears to leave the child at risk of significant harm, or if the concern centres around the actions of the parents, then a referral should be made to children's social care. [Referral to Children's Social Care].
Young people who engage in risky sexual behaviours online with other young people or with adults

4.2   Children can be coerced to take part in sexual activity online by abusers who employ specific conversational techniques. The grooming process is no different from that used by abusers offline, but the abusive episode takes place online without physical contact between the child and perpetrator. The most common place for targeting these children is in 'teen chatrooms'.

4.3   When discovered, children will often deny any such activities, due to the grooming process and to feelings of shame, humiliation and fear. The interviewing process must be sensitively handled, to give the young person permission to describe what has happened. The interviewers should be very clear with the young person that responsibility lies with the abuser and affirm for the child that the abuse is not their fault.

4.4   Young people may also engage in sexual behaviour online between themselves without realising the possible implications – see the note on "sexting" at Paragraph 6.6 below.

5.   ADULTS WHO CREATE, VIEW OR DOWNLOAD ABUSIVE IMAGES OF CHILDREN

Note that this is always a criminal offence

5.1   Adults who seek out images of child abuse may have access to children both in their

occupation and in their personal lives. Where this raises concern about an adult, the matter should be reported to the Police, who will establish whether they have access to children in their work, home or community life and, if so, will make a referral to children's social care.

5.2 Police and children's social care must consider not only the offences committed by the adult but also the need for protection of any children within the household. Such an assessment should include:

- Information from the offender statement;
- Interviews with the offender's partner;
- Information-sharing with agencies involved in the children's lives such as nurseries, schools and health professionals; and
- If deemed necessary, interviews with the children of the household appropriate to their age and understanding.

6. SPECIFIC RISKS

Children who view pornography

6.1 Children and young people may access pornography out of curiosity. However, the persistent viewing of inappropriate material which is degrading, violent or sadistic or beyond the realms of normal curiosity can affect how young people can think about intimacy, themselves and their values and attitudes towards relationships and sexual development. This should be referred.

Cyber-bullying

6.2 Bullying through technology (cyber-bullying) can be devastating for the victim and, unlike in the real world, the victim can be targeted at any time of the day or night, and at home or at school. Children can also be subject to physical assaults which are recorded and circulated on mobile phones, adding a further level of humiliation to the incident.

6.3 Agency policies on bullying should specifically mention cyber-bullying, and professionals should be alert to this form of bullying and competent to support and manage both the victim and the abuser. As with other forms of behaviour, the boundary between bullying and abuse is a matter of professional judgement.

Children who create, view or download inappropriate content

6.4 This behaviour includes making and distributing sexually explicit or violent images of peers (including themselves) or distributing inappropriate sexual or violent images. Young people may also become involved in internet sites that encourage self-harm, hatred or suicide.

6.5 Some children purposefully create, download and distribute inappropriate images and content in order to cause distress or fear; others will do it to raise their status in their peer group and may not perceive this as harmful. Professionals who work with children should be aware that this behaviour has a range of victims, for example the subject of the images or other content and the receiver of the content. Professionals should also be aware that distribution and escalation of content may be very swift and wide ranging.

6.6 The practice of "sexting" has become prevalent among adults and young people. This involves consensual swapping of images of themselves naked or semi-naked and/or in provocative poses, including during video enabled chat. These images may be exchanged as natural sexual exploration between teens but can then be passed on to friends or "go viral" without the knowledge of the subject of the image.

6.7 Anyone who is concerned about this type of behaviour in relation to a particular child should consult their Designated Senior Manager for child protection and consider whether to refer the matter to children's social care.

Exposure to risky contacts

6.8 Some adults will use this technology to abuse children, for example in grooming children for

abuse, in selling children for abuse, or in live sexual abuse online. These are criminal matters which should be reported to the Police.

General issues

6.9   With improved access to the internet through smartphones and the emergence of Blackberry Instant Messaging as a popular form of communication, some young people remain online, texting or using Blackberry chat late into the night. This can cause fatigue and difficulty with concentration.

6.10   The popular social networking sites have a minimum age of 13 but this is often ignored. Younger children may not be aware of the risks they face nor of how to change their privacy settings. If a child under 13 is using social networks this should be challenged.

6.11   If a young person uses location-based services such as Foursquare they may unknowingly share personal information such as home, school and other places they regularly frequent.

See Ark Whistleblowing Policy

Use of physical intervention

Occasionally staff members are required to use reasonable force to prevent children and young people from harming themselves or others, damaging property, or causing disorder. Wherever possible, the use of force should be avoided. Reasonable force means the minimum physical intervention necessary to achieve the desired result. This may include controlling a student or physically restraining them. When restraint is necessary, it must be used in ways that maintain the safety and dignity of all concerned.

Examples of when physical intervention may be used are:
•   to remove a disruptive child from the classroom when they have refused to follow an instruction to do so;
•   to prevent a student from attacking someone or to stop a fight when verbal instructions have been ineffective.

Physical Intervention may also be used to search a student without their consent when staff have reasonable grounds to suspect that the student is carrying a weapon, alcohol, tobacco, illegal drugs, stolen items or pornographic images. At least two staff are required to be present at the search.

Physical intervention will never be used as a form of punishment.

The academy's approach to the use of physical intervention reflects the DfE advice "Use of reasonable force: advice for head teachers, staff and governing bodies" (2013), available at:
www.education.gov.uk/aboutdfe/advice/f0077153/use-of-reasonable-force-advice-for-school-leaders-staff-and-governing-bodies

Staff code of conduct

- Always speak respectfully to pupils, parents and to each other, do not make demeaning remarks.
- Do not invade a pupils space
- Always try to diffuse situations without physical intervention
- You may intervene to prevent pupils from injuring themselves or others
- Contact during class activity should be restricted to what is appropriate & visible to others
- Contact may be given to distressed child, but be sure of appropriate level & justification
- Do not give special attention to one particular student (beware how this may be viewed)
- When speaking 1-1, ensure you are visible/open door.
- If concerned about a meeting, ask someone else to attend with you
- Only use your school email account and the school telephones to contact parents and/or students.
- Friendships with current or past students on social media is prohibited
- Any unwelcomed communications from pupils or parents must be reported immediately.
- Do not share confidential information about a pupil with anyone else.
- You should not transport pupils in your own vehicle without the consent of SLT and the pupils parents.
- Always dress in a professional way.

Safeguarding -Reporting procedures for staff.

All Staff: Any concerns over the well being of a child, no matter how small, must be reported to the DSL or one of the deputy DSLs on the same day.

If there is a concern that the child is at risk of significant harm this must be verbally reported **immediately** to the DSL or deputy DSL and followed up with a written statement on the same day.

DSL/Deputy DSL: Once a concern is passed to the DSL or deputy they will decide on the next steps, which will often involve one or more of the following:

- seek advice on the next steps from the MASH team
- inviting parents into school
- log incident on the student's CP file
- make a referral to the MASH team
- make a referral to external agencies, e.g. Place 2 Be, School Nurse etc.

This will be done on the same day and followed up with a written report within 24 hours. The incident will also be logged in the incident log book.

All Staff: If an individual member of staff is unhappy with the action taken by the DSL, they are within their rights to make a direct referral to the MASH team (0121 303 1888)

Safeguarding –Receiving disclosures

1. **Receive**
   - Listen
   - Be impassive
   - Believe
   -

2. **Reassure**
   - Stay calm
   - Tell the child they have done the right thing in reporting their concern
   - Don't make promises

3. React
   - Open questions - Who, Why, When? - only to allow the pupil to explain not to gain information
   - Don't criticise perpetrator and judgemental
   - Once disclosure is made stop the interview
   - Explain what happens next – it is important to let them know that the information will be passed on.

4. Inform

   - **Report to the DSL (SMC) immediately**

5. Record
   - Accurate notes – be objective
   - At earliest opportunity and sent to DSL.
   - Keep notes safe

6. **Support**
   - Create space & time for the child
   - Get support for yourself

NEVER
   - X Take photographs
   - X Remove clothing
   - X Tape record an interview
   - X Ask children to write down their concerns
   - X Attempt medical judgement or examination
   - X Interview children in groups
   - X Make promises or give confidentiality

Safeguarding - Complaints against a member of staff.

In cases of allegations against staff common sense and judgment will be used however suspension without prejudice is often the initial action

- Any child abuse concern involving the conduct of a member of staff should be reported without delay to the **Principal** (not the DSL).
- The Principal contacts the Local Authority Designated Officer (LADO) – Micho Moyo
- Any concern involving conduct of the Principal to be reported to the LADO – Micho Moyo (0121 675 1669)

APPENDIX B

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)

'Information Sharing: Advice for practitioners', DfE (March 2015)

Keeping Children Safe in Education ((July 2015)

APPENDIX C

[Child Missing from Education](#)

[Child Missing from home or care](#)

[Child Sexual Exploitation](#)

[Cyberbullying - Advice for Parents & Carers](#)

[Cyberbullying - Advice for Headteachers and School Staff](#)

[Cyberbullying - Supporting Bullied Children](#)

[Preventing & Tackling Bullying](#)

[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](#)

[Protecting Young People from being drawn into Terrorism](#)

[Ending Violence Against Women & Girls](#)

[Safeguarding Children who may have been Trafficked](#)

[Information about Sexting](#)

[A Teenage Relationship Abuse Toolkit](#)

APPENDIX D

RECRUITMENT & APPOINTMENT POLICY

Date of last review:	August 2013	Review period:	2 years
Date of next review:	August 2015	Owner:	Head of Recruitment Operations
Type of policy:	Network	LGB or Board approval:	Board

Recruitment & Selection Policy and Procedure

1.   Introduction

1.1   All ARK academies are expected to provide consistently excellent education for their students. 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, including the Department for Education Working together to Safeguard Children guidance, the Safeguarding children and Safer Recruitment in Education guidance and the Equality Act 2010 Code of Practice.

1.3   ARK Schools is committed to safeguarding and promoting the welfare of children and young people in its academies and expects all staff volunteers 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 will ensure that ARK Schools academies employ the best candidate for the job, assist ARK Schools academies 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   These standards should be adhered to by academies at all times when recruiting and selecting staff (teaching and operational) and are 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 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. Our aim is that our workforce 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[1] has overall responsibility for the internal organisation, control and

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[1] This policy applies to all ARK staff. Appropriate substitutions will be made to accommodate differences in

management in their academy[2] 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, main duties and activities, 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 from a member of the recruitment team and the recruitment team should be consulted to help 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, experience, abilities, and other competences or 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. The person specification should make clear whether each criterion is essential or desirable and whether any criteria are regarded as more important than any others. Again, template person specifications can be obtained from the recruitment team.
- Information pack for applicants: essential information about the academy/post; job description; person specification; details of the terms & conditions relating to the post; 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 will be created by the recruitment team and approved by the academy principal before posting.

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organisational structures across the ARK network and head office. For example, for primary academies all references to the principal are replaced with the head teacher. For ARK Schools head office and for ARK head 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.

7.2   Stage two: Advertising and applicant management

The recruitment advert should be attractive, clear, and communicate the right messages. It will be drafted by the recruitment team and approved by the academy principal. It should include:
• post title, and a brief description of the associated duties – including the extent of contact with, and degree of responsibility for children
• 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. 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
• a declaration of any family or close relationship to existing employees, ARK Schools central office staff member or to academy governors
• contact details for two referees (one of whom should be the applicant's current or most recent employer). Where the applicant's current job does not involve working with children, a reference should be sought from their most recent employer where it did
• a 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
• a signed statement declaring if they have any unspent criminal convictions, cautions, reprimands or warnings

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
• 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 and curriculum vitae are not accepted.
• 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'
• 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/small school head teacher 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
• 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 Safe Recruitment training
• 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
• candidates are also requested to sign the declaration on their application form in person.

7.6   Pre-appointment checks

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 human resources at ARK Schools) new recruits do not commence work without the following checks having been satisfied:

Staff responsible for pre-appointment checks 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 references
- overseas criminal record check (where necessary)

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 new to the academy 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 Boarder 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.

In some exceptional circumstances it may be possible for an individual to start employment without a returned criminal background disclosure. The central HR 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 HR 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.

8.2 List 99

A List 99 check is carried out as part of the enhanced DBS check. Therefore, it is only necessary to conduct this check in the exceptional circumstances when a disclosure has not been returned prior to the employees start date.

8.3 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. 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 'Advice on collecting references for candidates' for further information.

8.4 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.

8.5 Right to work

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

8.6 Medical fitness

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

8.7 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 kept.

8.8 **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 information 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 information system.

Staff responsible for maintaining the Single Central Register should refer to the ARK Schools School's document 'Safe 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 school staff use disclosure information in accordance with the *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 in ARK Schools academies 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**

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.

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.

School 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 should 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 (DDC Limited) to complete these checks.

9.5 Responsibility within ARK Schools academies

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 Head of HR

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
• deciding, in consultation with the principal, whether applicants whose criminal background disclosure gives cause for concern should be employed.

9.7 Verifiers

Two ARK Schools central staff, based at head office, as well as at least one member of staff in each academy, will undertake the role of verifier. 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 certificate 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 ARK Schools' recruitment and selection procedure and its policy on the recruitment of ex-offenders. 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
  • repeat offences: was the offence a one-off or part of a history of offending
  • the length of time since the offence took place 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 less likely
  • 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
  • the degree of risk that the offence suggests that the individual represents

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 in 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 and Freedom of Information Acts*. 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 HR, 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

Any self-employed staff or consultants used to fill interim or peripatetic roles are required to provide their reference number of a satisfactory enhanced disclosure and have a List 99 prior to taking up their post. If the individual does not have their own disclosure, the principal must ensure one is conducted.

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.

All disclosure certificates must be securely stored in locked non-portable storage containers, and be kept for no longer than 6 months. The only necessary criminal background check information to retain is the disclosure number and date of disclosure that 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.