


Every Child Matters Academy Trust Safeguarding Policy
HOYLAND SPRINGWOOD PRIMARY SCHOOL

Written by:	Mrs G Foster-Wilson	
Approved by Chair of Trustees	Signature	Name
		W. Ward
Last reviewed:	Summer term 2023	
Next review due by:	Summer term 2024	

ROLE/ORGANISATION	NAME	CONTACT DETAILS
Designated safeguarding lead (DSL)	Jen Hunt	01226 743815
Deputy DSL(s)	Sarah Johnson Rachel Parker Linz Waugh	01226 743815
Local authority designated officer (LADO)	Ruth Holmes	01226 772341
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1. Aims & Principles

This policy aims to ensure that:

The safety and well-being of the children is of the highest priority in all aspects of the school's work.

Appropriate action is taken in a timely manner to safeguard and promote children's welfare across all schools within Every Child Matters academy trust.

All staff are aware of their statutory responsibilities with respect to safeguarding

Staff are properly trained in recognising and reporting safeguarding issues

We maintain our ethos whereby staff, pupils, parents and governors feel able to articulate any concerns comfortably, safe in the knowledge that effective action will be taken as appropriate.

This policy is based on the following principles:

- All members of the school community are aware of their responsibilities in relation to safeguarding and child protection.
- All members of the school community know the procedures that should be followed if they have a cause for concern.
- All members of the school community know where to go to find additional information regarding safeguarding.
- All members of the school community are aware of the key indicators relating to child abuse.
- All members of the school community fully support the school's commitment to safeguarding and child protection.

We will work together with local safeguarding partners (the local authority, police and health) to safeguard and promote the welfare of local children, including identifying and responding to their needs.

Safeguarding and promoting the welfare of children means:

- Protecting children from maltreatment
- Preventing impairment of children's mental and physical health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

To this end, this policy must be seen in conjunction with the school's policies on:

- Relationships and Sex Education
- Behaviour
- Special Educational Needs and Disabilities
- E-safety

And Trust policies on;

- Recruitment and selection
- Code of conduct

- Confidentiality
- Health & Safety
- Physical Intervention
- Allegations of abuse against staff
- Whistleblowing
- Staff induction
- General data protection regulation
- Anti-Bullying

2. Legislation and statutory guidance

Staff and governors at Hoyland Springwood receive annual safeguarding training, with a particular focus on sections 1,2 and 5 of Keeping Children Safe in Education (2023), and are also provided with updated information should any of the guidance outlined below be changed.

This policy is based on the Department for Education's statutory guidance Keeping Children Safe in Education (2023) and Working Together to Safeguard Children (2018), and the Governance Handbook.

This policy is also based on the following legislation:

Part 3 of the schedule to the Education (Independent School Standards) Regulations 2014

The Children Act 1989 (and 2004 amendment)

Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the Serious Crime Act 2015

Statutory guidance on FGM

The Rehabilitation of Offenders Act 1974

Schedule 4 of the Safeguarding Vulnerable Groups Act 2006

Statutory guidance on the Prevent duty

The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 and Childcare Act 2006

Human rights act 1988

Equality Act 2010

This policy also meets requirements relating to safeguarding and welfare in the statutory framework for the Early Years Foundation Stage

3. Roles and responsibilities

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff, volunteers and governors in ECM school's and is consistent with the procedures of the 3 safeguarding partners. Our policy and procedures also apply to extended school and off-site activities.

Section 175 and 157 of the Education Act 2002 give maintained schools and academies a statutory duty to promote and safeguard the welfare of children, and have due regard to guidance issued by the Secretary of State¹ at all times.

3.1 This school recognises its legal and moral duty to promote the well-being of children, and protect them from harm, and respond to child abuse concerns when they arise.

3.2 We believe that every child and young person has at all times and in all situations a right to feel safe and protected from any situation or practice that results in a child being physically or psychologically damaged.

3.3 We agree that we have a primary responsibility for the care, welfare and safety of the pupils in our charge, and we will carry out this duty through our teaching and learning, extracurricular activities, pastoral care and extended school activities. In order to achieve this, all members of staff (including volunteers and the local governing board) in this school, in whatever capacity, will at all times act proactively in child welfare matters especially where there is a possibility that a child may be at risk of significant harm.

3.4 The school seeks to adopt an open and accepting attitude towards children as part of their responsibility for pastoral care. The school hopes that parents and children will feel free to talk about any concerns and will see school as a safe place if there are any difficulties at home.

3.5 Children's worries and fears will be taken seriously if they seek help from a member of staff. However, staff must not promise secrecy if concerns are such that referral must be made to the appropriate agencies in order to safeguard the child's welfare.

3.6 In our schools, if there are suspicions that a child's physical, sexual or emotional well-being is being, or is likely to be, harmed, or that they are being neglected, appropriate action will be taken in accordance with the Child Protection procedures issued by Barnsley Safeguarding Children partnership <https://www.barnsley.gov.uk/services/children-families-and-education/safeguarding-families-in-barnsley/safeguarding-children-in-barnsley/barnsley-safeguarding-children-partnership/>

As a consequence, we

3.7 assert that teachers and other members of staff (including volunteers) in the school are an integral part of the child safeguarding process.

3.8 accept totally that safeguarding children is required and is an appropriate function for all members of staff in the school, and wholly compatible with their primary pedagogic responsibilities.

3.9 recognise that safeguarding children in this school is a responsibility for all staff, volunteers, and the Members, Directors and Local Governors of the Trust.

3.10 will ensure through training and supervision that all staff and volunteers in the school are alert to the possibility that a child is at risk of suffering harm, and know how to report concerns or suspicions.

- 3.11 will designate a senior member of staff with knowledge and skills in recognising and acting responsibly for coordinating action within the school and liaising with other agencies. (Designated Safeguarding Lead)
- 3.12 ensure (through the Designated Safeguarding Lead) that all staff with designated responsibility for child protection will receive appropriate training to the minimum standard set out by the Barnsley Safeguarding Children Partnership (BSCP).
- 3.13 will share our concerns with others who need to know, and assist in any referral process.
- 3.14 will ensure that all members of staff and volunteers who have a suspicion or concern that a child may be suffering, or may be at risk of suffering significant harm, refer such concerns to the Designated Safeguarding Lead, who will refer on to Children's Social Care Assessment and Joint Investigation Service in accordance with the procedures issued by Barnsley Safeguarding Children Board.
- 3.15 safeguard the welfare of children whilst in the school, through positive measures to address bullying, especially where this is aggravated by sexual or racial factors, disability or special educational needs, cyber bullying or Internet technologies.
- 3.16 will ensure that all staff are aware of the Child Protection Procedures established by Barnsley Safeguarding Children Board and, where appropriate, the Local Authority, and act on any guidance or advice given by them.
- 3.17 will ensure through the recruitment and selection of volunteers and paid employees that all people who work in our school are suitable to work with children.
- 3.18 will act swiftly and make appropriate referrals to the Local Authority Designated Officer where an allegation is made that a member of staff has committed an offence against a child, harmed a child, or acted in a way that calls into question their suitability for working with children.

All staff

All staff will read and understand part 1 and annex B of the Department for Education's statutory safeguarding guidance, Keeping Children Safe in Education, and review this guidance at least annually.

All staff will sign a declaration at the beginning of each academic year to say that they have reviewed the guidance.

All staff will be aware of:

Our systems which support safeguarding, including this safeguarding policy, the staff code of conduct, the role and identity of the designated safeguarding lead (DSL) and deputies, the behaviour policy, the e-safety policy and the safeguarding response to children who go missing from education

The early help process and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment

The process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play

What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals

The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child-on-child abuse, child sexual exploitation (CSE), child criminal exploitation (CCE), indicators of being at risk from or involved with serious violent crime, FGM and radicalisation

The importance of reassuring victims that they are being taken seriously and that they will be supported and kept safe

The importance of understanding that children may not feel ready, or know how to tell someone they are being abused, exploited or neglected, but this shouldn't stop staff from having a 'professional curiosity' and speaking to the designated safeguarding lead

The designated safeguarding lead (DSL)

The DSL is a member of the senior leadership team. Our DSL is Jennifer Hunt (Headteacher). The DSL takes lead responsibility for child protection and wider safeguarding in the school.

During term time, the DSL will be available during school hours for staff to discuss any safeguarding concerns.

➤ *The DSL can also be contacted out of school hours at springwood@ecmtrust.co.uk*

When the DSL is absent, the deputies (below) will act as cover:

Sarah Johnson (Parent Support Advisor)

Rachel Parker (Deputy Headteacher)

Lindsey Waugh (SENCO and Inclusion Lead)

The DSL will be given the time, funding, training, resources and support to:

- Provide advice and support to other staff on child welfare and child protection matters
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so
- Contribute to the assessment of children
- Refer suspected cases, as appropriate, to the relevant body (local authority children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly

The DSL will liaise with local authority case managers and designated officers for child protection concerns as appropriate.

The full responsibilities of the DSL are set out in their job description.

The governing board

All governors and trustees will receive appropriate safeguarding and child protection training at induction, which is regularly updated, to equip them with the knowledge to provide strategic challenge.

All governors will read Keeping Children Safe in Education in its entirety.

The governing board will:

Facilitate a whole-school approach to safeguarding, ensuring that safeguarding and child protection are at the forefront and underpin all relevant aspects of process and policy development

Evaluate and approve this policy at each review, ensuring it complies with the law, and hold the headteacher to account for its implementation

Appoint a senior board level (or equivalent) lead / link governor to monitor the effectiveness of this policy in conjunction with the full governing board. This is always a different person from the DSL

The chair of governors will act as the 'case manager' in the event that an allegation of abuse is made against the headteacher, where appropriate (see appendix 3).

The headteacher

The headteacher is responsible for the implementation of this policy, including:

Ensuring that staff (including temporary staff) and volunteers:

- Are informed of our systems which support safeguarding, including this policy, as part of their induction
- Understand and follow the procedures included in this policy, particularly those concerning referrals of cases of suspected abuse and neglect

Communicating this policy to parents/carers when their child joins the school and via the school website

Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent

Ensuring that all staff undertake appropriate safeguarding and child protection training, and updating the content of the training regularly

Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3)

Ensuring the relevant staffing ratios are met, where applicable

Parents and Carers;

It is important that school has an established approach to working with parents. Parents and children's need for privacy should be respected. Attitudes to and contact with parents should be non-judgmental in order to obtain the most conducive working relationship. The priority is the needs of the child and effective liaison is crucial to this.

It should be recognised that families from different backgrounds and cultures will have different approaches to child rearing. These differences should be acknowledged and respected provided they do not place the child at risk as defined earlier in the document. We will aim to access support for parents if it is felt that this would be useful.

Parents and carers will be informed that they can have a paper copy of the Child Protection policy on request.

The policy will also be available on the school website.

Parents/carers are to adhere to dropping off and picking up their children daily. No children within the year groups up to the end of Year 2 will be permitted to walk home alone without an adult. We ask that no children under the age of 16 pickup from the Early years and Key Stage 1.

Checking the identity and suitability of visitors

All visitors will be required to verify their identity to the satisfaction of staff and to leave their belongings, including their mobile phone(s), in a safe place during their visit.

If the visitor is unknown to the setting, we will check their credentials and reason for visiting before allowing them to enter the setting. Visitors should be ready to produce identification.

Visitors are expected to sign in via the electronic sign in system and wear a visitor's badge.

Visitors to the school who are visiting for a professional purpose, such as educational psychologists and school improvement officers, will be asked to show photo ID and the organisation sending the professional, such as the LA or educational psychology service, will provide prior written confirmation that an appropriate level of DBS check has been carried out.

All other visitors, including visiting speakers, will be accompanied by a member of staff at all times. We will not invite into the school any speaker who is known to disseminate extremist views, and will carry out appropriate checks to ensure that any individual or organisation using school facilities is not seeking to disseminate extremist views or radicalise pupils or staff.

4. Equality statement

Some children have an increased risk of abuse, and additional barriers can exist for some children with respect to recognising or disclosing it. We are committed to anti-discriminatory practice and recognise children's diverse circumstances. We ensure that all children have the same protection, regardless of any barriers they may face.

We give special consideration to children who:

- Have special educational needs (SEN) or disabilities or health conditions
- Are young carers
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers
- Are at risk due to either their own or a family member's mental health needs
- Are looked after or previously looked after (see section 12)
- Are missing from education
- Whose parent/carer has expressed an intention to remove them from school to be home educated

We understand that these children can be targeted by other children and will provide a safe space for them to share their concerns with a member of staff where this is required.

We understand that schools play a crucial role in preventative education. This will be addressed in the context of a whole-school approach to preparing pupils for life in modern Britain and a culture of zero tolerance to sexism, misogyny/misandry, homophobia, biphobic and sexual violence/harassment. This will be underpinned by:

Our behaviour policy

A pastoral support system

A planned programme of RSHE delivered regularly, tackling issues such as: boundaries; consent; body confidence; stereotyping; and sexual harassment

5. Recognising abuse and taking action

Staff, volunteers and governors must follow the procedures set out below in the event of a safeguarding issue.

Please note – in this and subsequent sections, you should take any references to the DSL to mean “the DSL (or deputy DSL)”.

16.6 Early help If early help is appropriate, the DSL will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner.

The DSL will keep the case under constant review and the school will consider a referral to local authority children’s social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

If a child discloses a safeguarding issue to you, you should:

Listen to and believe them. Allow them time to talk freely and do not ask leading questions

Stay calm and do not show that you are shocked or upset

Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner

Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret

Write up your conversation as soon as possible in the child’s own words. Stick to the facts, and do not put your own judgement on it

Sign and date the write-up and pass it on to the DSL immediately. Do not disclose the information to anyone else unless told to do so by a relevant authority involved in the safeguarding process, If it is appropriate to refer the case to local authority children’s social care or the police, the DSL will make the referral or support you to do so.

If you make a referral directly you must tell the DSL as soon as possible.

The local authority will make a decision within 1 working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the child’s situation does not seem to be improving after the referral, the DSL or person who made the referral must follow local escalation procedures to ensure their concerns have been addressed and that the child’s situation improves.

If a child is suffering or likely to suffer harm, or in immediate danger;

Tell your DSL immediately.

The DSL will make a referral to children’s social care and/or the police **immediately** if you believe a child is suffering or likely to suffer from harm, or is in immediate danger.

Anyone can make a referral. Tell the DSL as soon as possible if you make a referral directly.

The following link to the GOV.UK webpage can also be used for reporting child abuse to your local council:

<https://www.gov.uk/report-child-abuse-to-local-council>

Low level concerns

If you have concerns about a child (as opposed to believing a child is suffering or likely to suffer from harm, or is in immediate danger);

Record your concerns clearly on CPOMs.

Speak to a DSL about your concern and agree appropriate action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to a member of the senior leadership team and/or take advice from local authority children's social care. You can also seek advice at any time from the NSPCC helpline on 0808 800 5000. Share details of any actions you take with the DSL as soon as practically possible.

Early help;

If early help is appropriate, the DSL will assign a staff member to lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner.

The DSL will keep the case under constant review and the school will consider a referral to local authority children's social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

Concerns about a staff member, supply teacher, volunteer or contractor;

If you have concerns about a member of staff (including a supply teacher, volunteer or contractor), or an allegation is made about a member of staff (including a supply teacher, volunteer or contractor) posing a risk of harm to children, speak to the headteacher as soon as possible. If the concerns/allegations are about the headteacher, speak to the chair of governors.

The headteacher/chair of governors will then follow the procedures set out in appendix 2, if appropriate.

If the concerns/allegations are about the headteacher, speak to the local authority designated officer (LADO).

Where you believe there is a conflict of interest in reporting a concern or allegation about a member of staff (including a supply teacher, volunteer or contractor) to the headteacher, report it directly to the local authority designated officer (LADO).

Where appropriate, the school will inform Ofsted of the allegation and actions taken, within the necessary timescale.

Allegations of abuse made against other pupils;

We recognise that children are capable of abusing other children. Abuse will never be tolerated or passed off as “banter”, “just having a laugh” or “part of growing up”, as this can lead to a culture of unacceptable behaviours and an unsafe environment for pupils.

We also recognise the gendered nature of child-on-child abuse. However, all child-on-child abuse is unacceptable and will be taken seriously.

Most cases of pupils hurting other pupils will be dealt with under our school’s behaviour policy, but this child protection and safeguarding policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:

- Is serious, and potentially a criminal offence

- Could put pupils in the school at risk

- Is violent

- Involves pupils being forced to use drugs or alcohol

- Involves sexual exploitation, sexual abuse or sexual harassment, such as indecent exposure, sexual assault, upskirting or sexually inappropriate pictures or videos (including the sharing of nudes and semi-nudes)

See appendix 3 for more information about child-on child abuse.

Procedures for dealing with allegations of child-on-child abuse

If a pupil makes an allegation of abuse against another pupil:

- You must record the allegation and tell the DSL, but do not investigate it

- The DSL will contact the local authority children’s social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence

- The DSL will put a risk assessment and support plan into place for all children involved (including the victim(s), the child(ren) against whom the allegation has been made and any others affected) with a named person they can talk to if needed

- The DSL will contact the children and adolescent mental health services (CAMHS), if appropriate

Creating a supportive environment in school and minimising the risk of child-on-child abuse

We recognise the importance of taking proactive action to minimise the risk of child-on-child abuse, and of creating a supportive environment where victims feel confident in reporting incidents.

To achieve this, we will:

Challenge any form of derogatory or sexualised language or inappropriate behaviour between children, including requesting or sending sexual images

Be vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female pupils, and initiation or hazing type violence with respect to boys

Ensure our curriculum helps to educate pupils about appropriate behaviour and consent

Ensure pupils are able to easily and confidently report abuse using our reporting systems (as described in the appendices below)

Ensure staff reassure victims that they are being taken seriously

Ensure staff are trained to understand:

- How to recognise the indicators and signs of child-on-child abuse, and know how to identify it and respond to reports
- That even if there are no reports of child-on-child abuse in school, it does not mean it is not happening – staff should maintain an attitude of “it could happen here”
- That if they have any concerns about a child’s welfare, they should act on them immediately rather than wait to be told, and that victims may not always make a direct report. For example:
 - Children can show signs or act in ways they hope adults will notice and react to
 - A friend may make a report
 - A member of staff may overhear a conversation
 - A child’s behaviour might indicate that something is wrong
- That certain children may face additional barriers to telling someone because of their vulnerability, disability, gender, ethnicity and/or sexual orientation
- That a pupil harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy
- The important role they have to play in preventing peer-on-peer abuse and responding where they believe a child may be at risk from it
- That they should speak to the DSL if they have any concerns

6. Confidentiality and Information Sharing (refer to the School Confidentiality and Information Sharing Policy)

The school, and all members of staff at the school, will ensure that all data about pupils is handled in accordance with the requirements of the law, and any national and local guidance.

Any member of staff who has access to sensitive information about a child or the child's family must take all reasonable steps to ensure that such information is only disclosed to those people who need to know.

Regardless of the duty of confidentiality, if any member of staff has reason to believe that a child may be suffering harm, or be at risk of harm, their duty is to forward this information without delay to the Designated Safeguarding Lead.

7. Online safety and the use of mobile technology

We recognise the importance of safeguarding children from potentially harmful and inappropriate online material, and we understand that technology is a significant component in many safeguarding and wellbeing issues.

To address this, our school aims to:

Have robust processes in place to ensure the online safety of pupils, staff, volunteers and governors

Protect and educate the whole school community in its safe and responsible use of technology, including mobile and smart technology (which we refer to as ‘mobile phones’)

Set clear guidelines for the use of mobile phones for the whole school community

Establish clear mechanisms to identify, intervene in and escalate any incidents or concerns, where appropriate

The 4 key categories of risk;

Our approach to online safety is based on addressing the following categories of risk:

Content – being exposed to illegal, inappropriate or harmful content, such as pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism

Contact – being subjected to harmful online interaction with other users, such as peer-to-peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes

Conduct – personal online behaviour that increases the likelihood of, or causes, harm, such as making, sending and receiving explicit images (e.g. consensual and non-consensual sharing of nudes and semi-nudes and/or pornography), sharing other explicit images and online bullying.

Commerce – risks such as online gambling, inappropriate advertising, phishing and/or financial scams

To meet our aims and address the risks above we will:

Educate pupils about online safety as part of our curriculum. For example:

- The safe use of social media, the internet and technology
- Keeping personal information private
- How to recognise unacceptable behaviour online
- How to report any incidents of cyber-bullying, ensuring pupils are encouraged to do so, including where they are a witness rather than a victim

Train staff, as part of their induction, on safe internet use and online safeguarding issues including cyber-bullying and the risks of online radicalisation. All staff members will receive refresher training at least once each academic year.

Educate parents/carers about online safety via our website, communications sent directly to them and during parents' evenings. We will also share clear procedures with them so they know how to raise concerns about online safety.

Make sure staff are aware of any restrictions placed on them with regards to the use of their mobile phone and cameras, for example that:

- Staff are allowed to bring their personal phones to school for their own use, but will limit such use to non-contact time when pupils are not present
- Staff will not take pictures or recordings of pupils on their personal phones or cameras

Make all pupils, parents/carers, staff, volunteers and governors aware that they are expected to sign an agreement regarding the acceptable use of the internet in school, use of the school's ICT systems and use of their mobile and smart technology.

Explain the sanctions we will use if a pupil is in breach of our policies on the acceptable use of the internet and mobile phones.

Make sure all staff, pupils and parents/carers are aware that staff have the power to search pupils' phones, as set out in the DfE's guidance on searching, screening and confiscation.

Put in place robust filtering and monitoring systems to limit children's exposure to the 4 key categories of risk (described above) from the school's IT systems.

Carry out an annual review of our approach to online safety, supported by an annual risk assessment that considers and reflects the risks faced by our school community.

This section summarises our approach to online safety and mobile phone use. For comprehensive details about our school's policy on online safety and the use of mobile phones, please refer to our online safety policy and mobile phone policy, which you can find on our website.

Please refer to our E-safety policy for further information.

8. Disqualification under the Childcare Act 2006

Schools are responsible for ensuring that anyone who falls within the relevant categories of staff described in the staff covered and staff who may be covered sections is made aware of the legislation. Schools must make these staff aware of what information will be required of them and how it'll be used to make decisions about disqualification.

Schools will identify relevant staff and will email out to them on an annual basis specifying that they need to inform school if they have been disqualified under the Childcare Act 2006.

Relevant staff are as follows ;-

All staff (including SMSAs) who work with reception children, nursery and early years up to September 1st following a child's 5th birthday.

Any staff who work in school clubs with children under the age of 8.

The Head teacher – because they manage the arrangements.

Schools must email relevant staff only and must send out the information contained in Appendix 4.

Appendix 1: Definitions and Symptoms of Abuse

There are four main categories of abuse – physical injury, neglect, sexual abuse and emotional abuse. The list of symptoms given is not exhaustive or comprehensive but consists of frequently observed symptoms. It is important to remember that most abuse involves more than one main type, for example, sexual and emotional abuse may be recognised together. These symptoms, for example cuts and grazes, may also be accidental and not a sign of abuse.

Definitions	Symptoms		
<p><u>Physical Abuse</u> Actual or risk of physical injury to a child or failure to prevent physical injury (or suffering) to a child, including deliberate poisoning, suffocation and factitious illness by proxy. This includes excessive punishment.</p>	Behaviour changes Wet bed withdrawal/regression Finger marks Broken bones Cuts and grazes Afraid of physical contact	Violent behaviour during role play Cigarette burns Cowering	Changing explanation of injuries Not wanting to go home with parent or carer Bruising in unusual areas Frequent unexplained injuries Aggressive language and use of threats Unwillingness to change clothes
<p><u>Neglect</u> Actual or risk of persistent or severe neglect of a child or the failure to protect a child from exposure to any kind of danger, including cold or starvation. Extreme failure to carry out important aspects of care, resulting in the significant impairment of the child's health or development, including failure to thrive.</p>	Body sores Unkempt hair Behaviour problems Lack of respect Often in trouble – police Always out at all hours Significantly underweight	Dirty Urine smells No parental interest Attention seeking Bullying Stealing Jealousy	Cold – complaining of Hunger – complaining of Not wanting to communicate Use of bad language Lack of confidence – low self-esteem Lack of appropriate clothing
<p><u>Sexual Abuse</u></p>	Change of behaviour Rocking Role play Withdrawn Stained underwear	Rejecting physical contact or demanding attention	Physical evidence – marks, bruising Bruising/marks near genital area Inappropriate behaviour – language Pain going to toilet, strong urine Drawing – inappropriate knowledge Relationships with other adults or children for example, being forward

<p>Actual or risk of sexual exploitation of a child or adolescent. The child may be dependent and/or developmentally immature. The involvement of dependent, immature children and adolescents in activities to which they are unable to give informed consent or that violate the social taboos of family roles.</p>			
<p><u>Emotional Abuse</u> Actual or risk of severe adverse effect on the emotional and behavioural development of a child caused by persistent or severe emotional ill-treatment or rejection. It is important to remember that all abuse involves some emotional ill-treatment.</p>	<p>Crying Not wanting to socialise Cringing Self-infliction Lack of confidence Withdrawn</p>	<p>Rocking Bad behaviour Aggression Attention seeking Clingy Behaviour changes</p>	<p>Bribery by parent Afraid of authoritative figures Picking up points through conversation with children Treating others as you have been treated Isolation from peers – unable to communicate</p>

Appendix 2

Safeguarding Children: Whistle Blowing

Staff must acknowledge their individual responsibility to bring matters of concern to the attention of the Head Teacher. Although this can be difficult this is particularly important where the welfare of children may be at risk. You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young people who are targeted. These children need someone like you to safeguard their welfare.

Don't think what if I'm wrong - think what if I'm right

Reasons for whistleblowing

Each individual has a responsibility for raising concerns about unacceptable practice or behaviour in order to:

- prevent the problem worsening or widening
- protect or reduce risks to others
- prevent becoming implicated yourself

What stops people from whistleblowing

- Starting a chain of events which spirals
- Disrupting the work or project
- Fear of getting it wrong
- Fear of repercussions or damaging careers
- Fear of not being believed

How to raise a concern

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken.
- Try to pinpoint exactly what practice is concerning you and why
- Approach the Head teacher

- If your concern is about your Headteacher you should approach the Chair of Governors or CEO Mrs Geraldine Wilson
- If your concern is about the CEO you should contact The Chair of the Trust Board Mr William Ward
- Make sure you get a satisfactory response - don't let matters rest
- Put your concerns in writing, outlining the background and history, giving names, dates and places where you can.
- A member of staff is not expected to prove the truth of an allegation but you will need to demonstrate sufficient grounds for the concern.

What happens next?

- You should be given information on the nature and progress of any enquiries
- Your employer has a responsibility to protect you from harassment or victimisation
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith.
- Malicious allegations may be considered as a disciplinary offence

Self-reporting

There may be occasions where a member of staff has a personal difficulty, perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager so professional and personal support can be offered. Whilst such reporting will remain confidential in most instances, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children

Further advice and support

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your line manager, HR department and/or your professional or trade union.

Appendix 3: Specific Safeguarding Issues

Children missing from education

A child going missing from education, particularly repeatedly, can be a warning sign of a range of safeguarding issues. This might include abuse or neglect, such as sexual abuse or exploitation or child criminal exploitation, or issues such as mental health problems, substance abuse, radicalisation, FGM or forced marriage.

There are many circumstances where a child may become missing from education, but some children are particularly at risk. These include children who:

- Are at risk of harm or neglect
- Are at risk of forced marriage or FGM
- Come from Gypsy, Roma, or Traveller families
- Come from the families of service personnel
- Go missing or run away from home or care
- Are supervised by the youth justice system
- Cease to attend a school
- Come from new migrant families

We will follow our procedures for unauthorised absence and for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. This includes informing the local authority if a child leaves the school without a new school being named, and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child's name from the admission register at non-standard transition points.

We will work closely with the local authority and follow the procedures outlined in Barnsley Education Welfare Services 'Children Missing Education Guidance and Procedures for Early Years Settings, Schools and Academies September 2021'.

Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as travelling to conflict zones, FGM and forced marriage.

If a staff member suspects that a child is suffering from harm or neglect, we will follow local child protection procedures, including with respect to making reasonable enquiries. We will make an immediate referral to the local authority children's social care team, and the police, if the child is suffering or likely to suffer from harm, or in immediate danger.

Child criminal exploitation

Child criminal exploitation (CCE) is a form of abuse where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into criminal activity, in exchange for something the victim needs or wants, and/or for the financial or other advantage of the perpetrator or facilitator, and/or through violence or the threat of violence.

The abuse can be perpetrated by males or females, and children or adults. It can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse.

The victim can be exploited even when the activity appears to be consensual. It does not always involve physical contact and can happen online. For example, young people may be forced to work in cannabis

factories, coerced into moving drugs or money across the country (county lines), forced to shoplift or pickpocket, or to threaten other young people.

Indicators of CCE can include a child:

- Appearing with unexplained gifts or new possessions
- Associating with other young people involved in exploitation
- Suffering from changes in emotional wellbeing
- Misusing drugs and alcohol
- Going missing for periods of time or regularly coming home late
- Regularly missing school or education
- Not taking part in education

If a member of staff suspects CCE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

Child sexual exploitation

Child sexual exploitation (CSE) is a form of child sexual abuse where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity, in exchange for something the victim needs or wants and/or for the financial advantage or increased status of the perpetrator or facilitator. It may, or may not, be accompanied by violence or threats of violence.

The abuse can be perpetrated by males or females, and children or adults. It can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse.

The victim can be exploited even when the activity appears to be consensual. Children or young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship.

CSE can include both physical contact (penetrative and non-penetrative acts) and non-contact sexual activity. It can also happen online. For example, young people may be persuaded or forced to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam. CSE may also occur without the victim's immediate knowledge, for example through others copying videos or images.

In addition to the CCE indicators above, indicators of CSE can include a child:

- Having an older boyfriend or girlfriend
- Suffering from sexually transmitted infections or becoming pregnant

If a member of staff suspects CSE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

Children who have experienced sexual violence can display a wide range of responses, so schools should remain alert to the possible challenges of detecting those signs and show sensitivity to their needs.

Domestic abuse

Children who witness domestic abuse are also victims. Children can witness and be adversely affected by domestic abuse and/or violence at home where it occurs between family members. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child/adolescent to parent violence and abuse. It is important to be aware that children can be victims in their own relationships too. Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socioeconomic status, sexuality or background, and domestic abuse can take place inside or outside of the home.

Exposure to domestic abuse and/or violence can have a serious, long-lasting emotional and psychological impact on children.

If police are called to an incident of domestic abuse and any children in the household have experienced the incident, the police will inform the key adult in school using 'Operation Encompass' (usually the designated safeguarding lead) before the child or children arrive at school the following day

The DSL will provide support according to the child's needs and update records about their circumstances.

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare.

The DSL and deputies will be aware of contact details and referral routes in to the local housing authority so they can raise/progress concerns at the earliest opportunity (where appropriate and in accordance with local procedures).

Where a child has been harmed or is at risk of harm, the DSL will also make a referral to children's social care.

So called 'honour-based' abuse (including FGM and forced marriage)

So-called 'honour-based' abuse (HBA) encompasses incidents or crimes committed to protect or defend the honour of the family and/or community, including FGM, forced marriage, and practices such as breast ironing.

Abuse committed in this context often involves a wider network of family or community pressure and can include multiple perpetrators.

All forms of HBA are abuse and will be handled and escalated as such. All staff will be alert to the possibility of a child being at risk of HBA or already having suffered it. If staff have a concern, they will speak to the DSL, who will activate local safeguarding procedures.

Female Genital Mutilation (FGM)

Keeping Children Safe in Education explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs".

FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision' or 'initiation'.

The DSL will make sure that staff have access to appropriate training to equip them to be alert to children affected by FGM or at risk of FGM.

Indicators that FGM has already occurred include:

- A pupil confiding in a professional that FGM has taken place
- A mother/family member disclosing that FGM has been carried out
- A family/pupil already being known to social services in relation to other safeguarding issues
- A girl:

- Having difficulty walking, sitting or standing, or looking uncomfortable
- Finding it hard to sit still for long periods of time (where this was not a problem previously)
- Spending longer than normal in the bathroom or toilet due to difficulties urinating
- Having frequent urinary, menstrual or stomach problems
- Avoiding physical exercise or missing PE
- Being repeatedly absent from school, or absent for a prolonged period
- Demonstrating increased emotional and psychological needs – for example, withdrawal or depression, or significant change in behaviour
- Being reluctant to undergo any medical examinations
- Asking for help, but not being explicit about the problem
- Talking about pain or discomfort between her legs

Potential signs that a pupil may be at risk of FGM include:

- The girl's family having a history of practising FGM (this is the biggest risk factor to consider)
- FGM being known to be practised in the girl's community or country of origin
- A parent or family member expressing concern that FGM may be carried out
- A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues
- A girl:
 - Having a mother, older sibling or cousin who has undergone FGM
 - Having limited level of integration within UK society
 - Confiding to a professional that she is to have a "special procedure" or to attend a special occasion to "become a woman"
 - Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents/carers stating that they or a relative will take the girl out of the country for a prolonged period
 - Requesting help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM
 - Talking about FGM in conversation – for example, a girl may tell other children about it (although it is important to take into account the context of the discussion)
 - Being unexpectedly absent from school
 - Having sections missing from her 'red book' (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication

The above indicators and risk factors are not intended to be exhaustive.

If you discover that FGM has taken place or a pupil is at risk of FGM

Any teacher who either:

- Is informed by a girl under 18 that an act of FGM has been carried out on her; or

- Observes physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth

Must immediately report this to the police, personally. This is a mandatory statutory duty, and teachers will face disciplinary sanctions for failing to meet it.

Unless they have been specifically told not to disclose, they should also discuss the case with the DSL and involve children's social care as appropriate.

Any other member of staff who discovers that an act of FGM appears to have been carried out on a pupil under 18 must speak to the DSL and follow our local safeguarding procedures.

The duty for teachers mentioned above does not apply in cases where a pupil is at risk of FGM or FGM is suspected but is not known to have been carried out. Staff should not examine pupils.

Any member of staff who suspects a pupil is at risk of FGM or suspects that FGM has been carried out must speak to the DSL and follow our local safeguarding procedures.

Forced marriage

Forcing a person into marriage is a crime. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats, or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological.

Staff will receive training around forced marriage and the presenting symptoms. We are aware of the 'one chance' rule, i.e. we may only have one chance to speak to the potential victim and only one chance to save them.

If a member of staff suspects that a pupil is being forced into marriage, they will speak to the pupil about their concerns in a secure and private place. They will then report this to the DSL.

The DSL will:

- Speak to the pupil about the concerns in a secure and private place
- Activate the local safeguarding procedures and refer the case to the local authority's designated officer
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or fm@fco.gov.uk
- Refer the pupil to an education welfare officer, pastoral tutor, learning mentor, or school counsellor, as appropriate

Preventing radicalisation

- **Radicalisation** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups
- **Extremism** is vocal or active opposition to fundamental British values, such as democracy, the rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces
- **Terrorism** is an action that:
 - Endangers or causes serious violence to a person/people;
 - Causes serious damage to property; or
 - Seriously interferes or disrupts an electronic system

The use or threat of terrorism must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

Schools have a duty to prevent children from being drawn into terrorism. The DSL will undertake Prevent awareness training and make sure that staff have access to appropriate training to equip them to identify children at risk.

We will assess the risk of children in our school being drawn into terrorism. This assessment will be based on an understanding of the potential risk in our local area, in collaboration with our local safeguarding partners and local police force.

We will ensure that suitable internet filtering is in place, and equip our pupils to stay safe online at school and at home.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period.

Staff will be alert to changes in pupils' behaviour.

The government website [Educate Against Hate](#) and charity [NSPCC](#) say that signs that a pupil is being radicalised can include:

- Refusal to engage with, or becoming abusive to, peers who are different from themselves
- Becoming susceptible to conspiracy theories and feelings of persecution
- Changes in friendship groups and appearance
- Rejecting activities they used to enjoy
- Converting to a new religion
- Isolating themselves from family and friends
- Talking as if from a scripted speech
- An unwillingness or inability to discuss their views
- A sudden disrespectful attitude towards others
- Increased levels of anger
- Increased secretiveness, especially around internet use
- Expressions of sympathy for extremist ideologies and groups, or justification of their actions
- Accessing extremist material online, including on Facebook or Twitter
- Possessing extremist literature
- Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations

Children who are at risk of radicalisation may have low self-esteem, or be victims of bullying or discrimination. It is important to note that these signs can also be part of normal teenage behaviour – staff should have confidence in their instincts and seek advice if something feels wrong.

If staff are concerned about a pupil, they will discuss their concerns with the DSL.

Staff should **always** take action if they are worried.

Every school in the ECM academy trust has completed a Prevent audit and there is a risk assessment in place for the trust.

Child-on-child abuse

Child-on-child abuse is when children abuse other children. This type of abuse can take place inside and outside of school and online.

Child-on-child abuse is most likely to include, but may not be limited to:

- Bullying (including cyber-bullying, prejudice-based and discriminatory bullying)
- Abuse in intimate personal relationships between children
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse)
- Sexual violence, such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence)
- Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse
- Causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party
- Consensual and non-consensual sharing of nudes and semi nudes images and/or videos (also known as sexting or youth produced sexual imagery)
- Upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm
- Initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element)

Where children abuse other children online, this can take the form of, for example, abusive, harassing, and misogynistic messages; the non-consensual sharing of indecent images, especially around chat groups; and the sharing of abusive images and pornography, to those who don't want to receive such content.

If staff have any concerns about child-on-child abuse, or a child makes a report to them, they should speak to the DSL.

It should be clear to all victims that the law on child-on-child abuse is there to protect them, not criminalise them.

Sexual violence and sexual harassment between children in schools

Sexual violence and sexual harassment can occur:

- Between 2 children of any age and sex
- Through a group of children sexually assaulting or sexually harassing a single child or group of children
- Online and face to face (both physically and verbally)

Sexual violence and sexual harassment exist on a continuum and may overlap.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school.

If a victim reports an incident, it is essential that staff make sure they are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

Some groups are potentially more at risk. Evidence shows that girls, children with SEN and/or disabilities, and lesbian, gay, bisexual and transgender (LGBT) children are at greater risk.

Staff should be aware of the importance of:

- Challenging inappropriate behaviours
- Making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up
- Challenging physical behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them

Staff should consider intra familial harms and any necessary support for siblings following a report of sexual violence and/or harassment.

If staff have any concerns about sexual violence or sexual harassment, or a child makes a report to them, they should speak to the DSL.

Serious violence

Indicators which may signal that a child is at risk from, or involved with, serious violent crime may include:

- Increased absence from school
- Change in friendships or relationships with older individuals or groups
- Significant decline in performance
- Signs of self-harm or a significant change in wellbeing
- Signs of assault or unexplained injuries
- Unexplained gifts or new possessions (this could indicate that the child has been approached by, or is involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation (see above))

Risk factors which increase the likelihood of involvement in serious violence include:

- Being male
- Having been frequently absent or permanently excluded from school
- Having experienced child maltreatment
- Having been involved in offending, such as theft or robbery

Staff will be aware of these indicators and risk factors. If a member of staff has a concern about a pupil being involved in, or at risk of, serious violence, they will report this to the DSL.

Mental Health

- Mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.
- Staff will be alert to behavioural signs that suggest a child may be experiencing a mental health problem or be at risk of developing one.

- If you have a mental health concern about a child that is also a safeguarding concern, take immediate action by following the steps in section 5.

If you have a mental health concern that is not also a safeguarding concern, speak to the DSL to agree a course of action.

Incel subculture

What does the term mean?

- The term 'incel' is an abbreviation of 'involuntary celibate'.
- Some key features of the incel worldview are:
 - Attractiveness is pre-determined by genetic factors that dictate our physical appearance. Some men will therefore always be more attractive to women, while others won't be and will be an 'involuntary celibate'. There's a social hierarchy based around attractiveness
 - Women are genetically inferior to men. They're manipulative and are driven by their desire to reproduce with genetically superior men. Women's increased independence and autonomy is the cause of male suffering
 - The notion of 'pilling'. This refers to the film The Matrix. Those who take the red pill 'wake up' to the true nature of the world (the social hierarchy determined by genetic factors), while those who take the blue pill remain detached from reality. The blue pill and red pill idea also features in far-right ideology
- Incels typically communicate using online forums and message boards like Reddit. Their communication can range from sharing ideas about how women are manipulative, to talking about inflicting violent deaths on women.
- As with radicalisation, users often see relatively mild content to start with, and are then exposed to increasingly extreme content. Algorithms on websites such as YouTube mean it is increasingly easy for this content to be viewed by children, particularly young boys, through "suggested" videos and targeted adverts.

Why is it a problem?

- Some incels advocate violence against women. In some cases, there has been actual violence.
- The misogynistic content shared online is harmful for those who consume it too.

Words to watch out for;

- Chad: an attractive man, at the top of the perceived social hierarchy
- Stacey: an attractive woman, also at the top of the perceived social hierarchy
- Normie: a 'normal' person in the middle of the perceived social hierarchy
- Roastie: a derogatory term for women
- Foid: a derogatory term for women
- Red pill / blue pill / black pill (the black pill is an addition in incel subculture, which adds that the social hierarchies are fixed and nothing can be done about them)
- Awalt: stands for all women are like that

Always be alert to changes in a child and report any safeguarding concerns you have to our designated safeguarding lead (DSL) or deputy.

Appendix 4 : Disqualification under the Childcare Act 2006, Information for Employees

Statutory Guidance - Disqualification under the Childcare Act 2006

Important Information for staff

The Childcare Act 2006 and the Childcare (Disqualification) Regulations 2018 apply to any member of staff who works in a 'childcare' role.

Staff are considered as working in a 'childcare' role if they provide early years childcare or later years childcare. This is defined as:

- *Early years provision - staff who provide any care for a child up to and including reception age. This includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during and outside of school hours for children in the early years age range; and*
- *Later years provision (for children under 8) - staff who are employed to work in childcare provided by the school outside of school hours for children who are above reception age but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but it does include before school settings, such as breakfast clubs, and after school provision.*

The statutory guidance refers to a 'member of staff' as any individual who is employed by a school or local authority, those undertaking training in schools (both salaried and unsalaried), casual workers, agency/supply staff, self-employed workers and volunteers.

All 'staff' who work in the above settings, including those who are directly concerned in the management of such early or later years provision, are required to read and understand the statutory guidance, regarding their suitability to work with children in these settings. Staff are required to inform their line manager immediately should they be disqualified from working with children.

There are a number of reasons that a person may be disqualified from working with children, under the Childcare Act 2006. You may be disqualified if:

- you are on the Disclosure & Barring Service Children's Barred List
- you have been found to have committed certain violent and sexual criminal offences against children (or adults);
- there are grounds relating to your care of children including where an order is made in respect of a child under your care;
- you have had registration refused or cancelled in relation to childcare or children's homes or been disqualified from private fostering;
- you have been found to have committed an offence overseas which would constitute an offence regarding disqualification under the 2018 Regulations if it had been done in any part of the United Kingdom.

Individuals who are disqualified are not permitted to continue to work in early or later years provision or be directly concerned in the management of that provision. They can, however, usually apply to Ofsted for a waiver of disqualification – details of how to apply for a waiver are included in the DfE statutory guidance 'Disqualification under the Childcare Act 2006'.

This guidance also provides further guidance about the circumstances that will disqualify an individual from working with young children.

You are required to read the statutory guidance below:

<https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006/disqualification-under-the-childcare-act-2006>