

# Stratford-sub-Castle Church of England VC Primary School

*Life in all its fullness (John 10:10)*

## **Behaviour Policy for Staff and** **Volunteers #8** **(SAFER WORKING PRACTICE)**

This Policy was reviewed during the Autumn Term 2020.

COVID-19: The school recognises that Keeping Children Safe in Education (KCSiE) remains in force throughout the national and local response to coronavirus (COVID-19). The governing body, senior leadership team and designated safeguarding lead continues to have appropriate regard to KCSiE and keeping our children safe.

DATE AGREED BY FULL GOVERNING BODY:	<b>28/11/20</b>
REVIEW DATE:	<b>September 2021</b>
AUTHOR:	<b>Mrs Kay Bridson, Miss Angela Britten</b>
HEADTEACHER:	<b>Mrs Kay Bridson</b>
CHAIR OF GOVERNORS:	<b>Miss Angela Britten</b>
SIGNED:	
TO BE READ IN CONJUNCTION WITH:	<b><i>All school policies but specifically:</i></b> <i>Acceptable use of Technology Policy for Staff, Visitors and Volunteers</i> <i>Behaviour for Life and Learning Policy</i> <i>Code of Conduct</i> <i>Child Protection Code of Conduct</i> <i>Data Protection Policy</i> <i>DBS Checks Policy</i> <i>Health and safety Policy</i> <i>Positive Intervention Policy</i> <i>Safeguarding Policy</i> <i>SEND Policy</i> <i>Use of Photography/Images Policy</i> <i>Visitors Policy</i> <i>Whistleblowing Policy</i> <b><i>This policy should be read alongside the following local authority and national government policies:</i></b> <b><i>Working together to safeguard children 2018</i></b> <b><i>Guidance for Safer Working Practice for those Working with Children and Young People in Education Settings 2019 with April 2020 Addendum</i></b> <b><i>Keeping children safe in education 2020</i></b> <b><i>What to do if you are worried a child is being abused 2015-Advice for practitioners.</i></b> <b><i>Prevent Duty Guidance 2015</i></b> <b><i>COVID 19 – Safeguarding in Schools guidance</i></b> <b><i>The Procedures of Wiltshire Safeguarding Vulnerable People Partnership</i></b>

# Stratford-sub-Castle Church of England VC Primary School

*Life in all its fullness*

## **Behaviour Policy for Staff and Volunteers #8**

### 1. Purpose of the policy

This policy sets the expectations for adults working or volunteering in our school relating to safeguarding children and sits alongside the school Code of Conduct. The school Code of Conduct covers HR issues (such as equality at work, declaring conflict of interest or use of the school's material).

This policy contains elements set out in *Guidance for Safer Working Practice for those Working with Children and Young People in Education Settings (2019)* and requirements set out by *Keeping Children Safe in Education (KCSiE) 2020*.

This document provides a guide for adults working and volunteering in Stratford-sub-Castle Primary School regarding acceptable and desirable conduct to **safeguard both adults and pupils**.

Key Safeguarding Personnel			
Role	Name	Tel.	Email
Headteacher	Kay Bridson	01722 327227	head@stratford-sub-castle.wilts.sch.uk
Designated Safeguarding Lead (DSL)	Kay Bridson	01722 327227	head@stratford-sub-castle.wilts.sch.uk
Deputy DSL(s) (DDSL)	Justine Watkins	01722 327227	jwatkins@stratford-sub-castle.wilts.sch.uk
Nominated Governor	Angela Britten (The role of the Nominated Governor is outlined in Appendix 1 of this policy.)	01722 327227	govabritten@stratford-sub-castle.wilts.sch.uk
Chair of Governors	Angela Britten	01722 327227	govabritten@stratford-sub-castle.wilts.sch.uk
Designated Teacher for Looked After Children	Kay Bridson	01722 327227	head@stratford-sub-castle.wilts.sch.uk

The key safeguarding responsibilities within each of the roles above are set out in Keeping Children Safe in Education (2020) Annex B

<b>Designated Officer for Allegations</b>	0300 456 0108
<b>Children's Social Care referrals:</b>	
Multi-Agency Safeguarding Hub (MASH):	0300 456 0108
Out of hours:	0845 456 0100
If you believe a child is <b>at immediate risk</b> of significant harm or injury, you <b>must</b> call the police on 999.	

## 2. Introduction

Stratford-sub-Castle Primary School is committed to providing positive academic, social and emotional outcomes for our children, underpinned by a strong safeguarding ethos. We are equally committed to the welfare of our staff, who are expected to adhere to the highest standards of professional behaviour to maintain confidence and respect of the general public and colleagues. The governors make sure that this policy reflects national and local requirements to protect and support the children and adults in our school.

We fulfil our local and national responsibilities as laid out in the following key documents:

- Working Together to Safeguard Children (2018)
- Keeping Children Safe in Education (2020)
- The Procedures of the Safeguarding Vulnerable People Partnership

This policy:

- is based on the Guidance for Safer Working Practice for those working with children and young people in education settings (May 2019 and April 2020 Addendum)
- aims to provide a guide for adults about acceptable and desirable conduct to ensure that staff maintain safe working practice and so **safeguard both children and adults**
- does not provide a complete checklist of appropriate behaviour for staff in every circumstance. Staff must make judgements about their behaviour to secure the best interests and welfare of the children in their charge and, in so doing, will be seen to be acting reasonably.

In *very exceptional* circumstances where a member of staff believes, it is the best interest of a child to breach these guidelines, that person **must** tell the Headteacher of the justification for any proposed, or action already taken, at the earliest opportunity. The Headteacher makes a written record of that discussion including any areas of disagreement and actions taken.

## 3. Scope

This policy is consistent with all other policies adopted by the governors and should be read alongside the **Child Protection policy, Safeguarding policy, the Staff Code of Conduct and the COVID-19 Risk Assessment and Operational Plan** as well as the documents listed in Appendix 2 and Appendix 3 relevant to the safety and welfare of our children.

**This policy applies to staff and volunteers working at our school.**

For the purposes of this policy:

- 'Staff' refers to all those working at the school, full time or part time, in a paid or voluntary capacity.
- 'Volunteer' is a person who performs an activity that involves spending time, unpaid in this school (except for approved expenses).
- A 'position of trust' is one in which one party is in a position of power or influence over another, due to their work or the nature of their activity.
- 'Child' refers to all children up to the age of 18. All adults are in positions of trust in relation to every child (and student over the age of 18) at our school.

**It does not apply to employees of external contractors and providers of services (e.g. contract cleaners).  
Such staff, are covered by the relevant Code of Conduct of their employing body.**

#### **4. Expectations**

All staff members:

- are familiar with this policy and have an opportunity to contribute to its review
- understand their responsibilities to safeguard and promote the welfare of children
- are aware that failure to meet the standards of behaviour and conduct in this policy may result in disciplinary action. This includes dismissal, criminal action and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity.

#### **5. Mandatory Procedures**

##### **Confidentiality**

The sorting and processing of personal information is governed by GDPR (General Data Protection Regulations 2018) - see Data Protection Policy 2020.

Child records are shared with those who have a professional need to see them. When staff have access to confidential information about colleagues, children or their parents/carers, the staff must treat such information in a sensitive and confidential way, sharing it only in the interests of a child and when legally permitted to do so.

Staff will not use their position to gain access to information for their own advantage and/or a child's or family's detriment.

If a member of staff is concerned that a child is being abused, is at risk of being abused or may have been abused in the past, they will follow the agreed procedure set out in the flowchart 'What to do if you are worried about a child', displayed in the staff room, adult cloakrooms and school office.

**If a member of staff is ever in any doubt about whether to share information or not, they should get advice from the Designated Safeguarding Lead.**

##### **Staff relationships with children and parents**

##### **Staff responsibilities**

All staff members know that:

- they are in positions of trust in relation to all children (and students over the age of 18) on roll. They ensure that the power imbalance is never used for personal advantage or gratification. They avoid behaviour which might be interpreted by others as an abuse of the position of trust, and report any incident with this potential to the manager. This includes sharing personal contact details with children or families
- they have a legal duty to protect the interests of children and accept the obligations inherent in that responsibility
- they must not establish or seek to establish social contact with children to secure a friendship or to pursue or strengthen a relationship
- they must inform the Headteacher of any pre-existing (prior to the member of staff or child starting at the school) or new relationship with a child or close family member, which they feel, might compromise the school or their own professional standing
- they should disclose any relationship or association (in the real world or online) that may impact on the school's ability to safeguard pupils.
- it is an offence (Sexual Offences Act 2003) for a member of staff in a position of trust to engage in **any** form of sexual activity with a child under the age of 18.

Certain behaviours are at odds with a position of trust. These include, but are not limited to:

- harassment or discrimination based on any characteristic protected by the Equality Act 2010
- loss of personal civility including, personal attacks or insults, displays of temper (such as throwing objects), unwanted physical contact (pushing, shoving, hitting) or the threat of the same.
- staff must not swear, blaspheme or use offensive language in front of pupils, nor use language which is discriminatory and demeaning in any way.

Such behaviours are disciplinary offences and may be referred to Local Authority and/or the police.

### **Communication with children and parents, including social contact outside of the workplace**

Staff must use their professional judgement when requesting or accepting any social contact (including through social media). This means that they must:

- not accept any request from pupils for contact via any social media platform
- make a judgement about whether to maintain the connection in any cases where contacts were made before the child started at the school (e.g. teacher being friend with a parent). Staff must discuss any decision to maintain such contact with the Headteacher.

We acknowledge that staff may have friendships and social contact with parents of children outside of school. Staff will not engage in conduct outside work that could damage their professional reputation or the reputation of the school community.

Any contact between staff and children and/or parents that is deemed to bring the school into disrepute or that might lead a reasonable person to question the staff member's motivation or intentions will always be investigated and could lead to disciplinary action.

Staff must not make sexual innuendos or any comments of a sexual nature to any pupil (other than in the context of sex and relationship education in the PSHE curriculum), nor make any comments trivialising alcohol or drug abuse.

Occasionally, pupils may develop an infatuation for a member of staff. In such situations, the advice of the Head/Deputy Head must be sought. Staff should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is beyond reproach.

Staff must inform the Headteacher of any proposed or pre-existing arrangements between them and the families of children on roll that take place outside school e.g. baby-sitting, sports coaching, music tuition.

Staff are advised to wait until after an ex-pupil's 18th birthday before accepting any request on social media.

### **Gifts, rewards, favouritism and exclusion**

Staff must:

- declare any gift they receive from a parent or child. This does not include small tokens of appreciation such as at Christmas or the end of the year
- not give gifts to individual children. Any rewards or treats MUST BE as part of the school's agreed Behaviour for Life and Learning policy
- advise the Headteacher about the offer of any gift or hospitality, from outside or inside the school, which might be interpreted as an attempt to influence staff conduct towards children, parents or other employees.

Staff are advised to show another member of staff any thank you cards / messages they may write to children/parents following the receipt of any gift.

### **Physical contact including intimate/personal care and behaviour management**

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child, in one set of circumstances, may be inappropriate in another, or with a different child. Any physical contact will be in response to the child's needs, of limited duration and appropriate to their age, stage of development, gender, background and any agreed support or care plan.

**The use of physical intervention including the use reasonable force MUST always be in line with the following policies Special Needs Policy, Intimate Care Policy, Behaviour for Life and Learning Policy and Positive Intervention Policy. (See Appendix 2 and Appendix 3)**

Staff members understand that:

- on a daily basis, it may be entirely appropriate and proper for staff to have physical contact with children and that they do so in ways appropriate to their professional role and in relation to the child's individual needs
- some children are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Whenever possible, adults seek the child's permission before initiating contact and are sensitive to any signs that the child may be uncomfortable *or* embarrassed
- they have a responsibility to ensure the way they offer comfort to a distressed child is age appropriate
- they must never touch a child in a way which may represent a misuse of authority or considered indecent
- physical contact must never be secretive, or for the gratification of the adult
- they should be aware of cultural or religious views about touching and be sensitive to the issues of gender.

If a member of staff believes that an action by them or a colleague could be misinterpreted, or if an action is observed which is possibly abusive, the incident and circumstances will be immediately reported to the Headteacher/DSL and recorded in writing. If appropriate, the Headteacher will consult with the Designated Officer for Allegations (DOFA).

Staff members understand that a child who has suffered previous abuse or neglect may associate physical contact with such experiences. They recognise that such a child may seek out inappropriate physical contact and know to deter the child sensitively to help them to understand the importance of personal boundaries. Staff know that they must never indulge in play that involves rough-and-tumble or fun fights.

Children with disabilities may require more physical contact to assist their everyday learning. The arrangements are understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny. Staff always allow/encourage children, where able, to undertake self-care tasks independently.

If a child's behaviour presents a serious risk to themselves or others, a robust risk assessment and, where relevant, a physical intervention plan is always put in place and reviewed regularly. In all cases where physical intervention takes place, staff record the incident and subsequent actions and report these to the Headteacher/DSL and the child's parents.

#### **First aid**

Staff adhere to the school's 'Health and Safety Policy' and 'Medication for Pupils Policy' when supporting pupils with medical conditions and for administering first aid or medication. (See Appendix 2 and Appendix 3)

#### **One to one situations**

Staff carefully consider the welfare needs of children when with them in a one to one situation. All spaces in the school are set up to allow any activity to be easily observed by other staff in the school. Windows and doors are kept clear from display materials to allow rooms to be overlooked. Internal doors remain open when practicable. Children are provided with age/developmentally appropriate advice about managing distressing feelings that may arise during 1-1 situations in school. Staff record any time a child has appeared upset/angry during a 1-1 session and report this to their line manager.

#### **Home visits and transporting children**

All work with children and parents/carers is, whenever possible, undertaken in the school. The school does not make home visits e.g. as part of child's induction programme.

Any member of staff transporting a child in their own vehicle:

- has prior written permission from parents and the school Headteacher
- has the appropriate vehicle insurance for business use
- has the correct ratio of children/adults

- ensures that all passengers wear seat belts
- ensures booster seats are used according to the current legislation.

### **Educational Visits and After-School Activities**

Staff remain in a position of trust during school activities that take place off the school site or out of school hours and so, they will ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

Organisers conduct risk assessments and adhere to Health and Safety guidelines. Staff/child ratios will be specified and where overnight stays are involved, and the composition of groups of children and the supervising staff will be carefully planned to keep all children and staff safe.

Where out of school activities include overnight stays, careful consideration will be given to sleeping arrangements as part of the planning process. Children, staff and parents will be informed of these arrangements prior to the start of the trip and any proposed changes to the plans will be agreed with senior staff in the school in advance. Staff will not smoke or consume alcohol on any school trip.

Health and Safety arrangements require members of staff to keep colleagues aware of their whereabouts, during an out of school activity. This means staff will always have another adult present during out of school activities, unless otherwise agreed with senior staff in the school.

### **Staff appearance (Also applies to on-line and virtual teaching)**

Staff must dress smartly, in clothing appropriate to the role, compliant with professional standards and not likely to be viewed as offensive, revealing or sexually provocative. It should not distract, cause embarrassment or give rise to misunderstanding. Political slogans must be avoided.

Any staff member with tattoos which may be viewed as offensive, provocative or likely to give rise to misunderstanding must ensure that tattoos remain covered at all times, when working for the school.

### **The acceptable use of technologies**

Staff must not engage in inappropriate use of social network sites, which may bring themselves, the school, school community or employer into disrepute. Staff should ensure they adopt suitably high security settings on any personal profiles they may have.

Staff must be circumspect in their use of **all** social media or any other web based presence that they may have. This includes written content, videos or photographs, and views expressed directly or by association with websites/pages or posts established by others (e.g. 'liking', reposting or forwarding). This includes the use of dating websites where staff could encounter parents or students; either with their own profile or acting covertly.

Staff members must consider the long-term implications of any content published by them; online and specifically how it might ever have an adverse effect:

- on their reputation as an individual working in an education setting
- their ability to maintain good professional boundaries with parents and with children
- on the reputation of the school.

**Staff must not access any content from the internet on personal device during school hours, on the school site. They must not use a school computer or device at any time, which could bring the school into disrepute or which might lead a reasonable person to question the staff member's motivation or intentions.**

### **Exceptional operating circumstances**

If the school is required to change the way provision is offered to children due to exceptional circumstances e.g. during a pandemic lockdown, staff safeguarding responsibilities to children continue to apply, in line with the safeguarding policy.

The DSL will ensure staff, children, and families are provided with written:

- temporary changes to procedures for working with children e.g. online.
- timescales for such changes so that all children, families and staff understand when such arrangements will end, and arrangements revert to those in place prior to the events leading to the need for the temporary changes.

### **Photography and recording**

Staff are not permitted to not use their phones, cameras or any device, which can be used for photographing or recording children, when on duty for any purpose. Phones are kept in lockers. Any pictures taken of children by the school are in accordance to the school's 'Use of Photography and Images Policy'.

**Staff do not take images of a child's injury, bruising or similar (following a disclosure of abuse) or make an audio recording of a child's disclosure.**

### **Whistleblowing**

All staff and volunteers should feel able to and are proactively encouraged to raise concerns about poor or unsafe practice and potential failures in the school safeguarding regime (or whistleblowing). All staff within the school who wish to raise an issue relating to the organisation with someone in confidence can use the following whistleblowing procedures:

In the first instance, concerns about poor or unsafe practice within must be raised with: Mrs Kay Bridson (Headteacher)

When a staff member feels unable to raise an issue with **Mrs Kay Bridson** or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

- A member of the governing body: **Penelope Larcombe** govplarcombe@stratford-sub-castle.wilts.sch.uk
- The [NSPCC whistleblowing helpline](#) is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk) if ;
  - they think the concern will not be dealt with properly or
  - may be covered up or
  - if they raised a concern but it has not been acted upon or if they are worried they are being treated unfairly.

### **Allegations against staff (including supply staff and volunteers)**

If a member of staff is concerned about the behaviour of a person working or volunteering at the school, they follow the agreed procedure set out in the flowchart 'Allegation against adults', displayed in the staff room, staff cloakrooms and school office. See Safeguarding Policy and Child Protection Policy. (See Appendix 2 and Appendix 3)

## **6. Training**

All members of staff and volunteers have read and signed to confirm they understand this Behaviour Policy for Staff and Volunteers.

### **Induction**

The welfare of all children on roll is of paramount importance. All staff including volunteers are informed of this policy at induction and given the chance to question and discuss the expectations set out.

### **Staff support**

Work in schools is both rewarding and demanding. The *Senior Leadership Team* support staff and volunteers by prioritising time to discuss the challenges of their role linked to any aspect of this policy. Staff are encouraged to talk with their line manager and seek further support as appropriate.

## **7. Monitoring and Review**

This policy is monitored annually as part of the Safeguarding Audit. It is reviewed annually or earlier as required by changes to legislation or statutory guidance.



All staff and volunteers are required to read and sign to confirm this

Stratford-sub-Castle regards all staff and volunteers as being in contact with and therefore responsible for the safeguarding of pupils covered by the Childcare Act 2006 (revised August 2018). The school requires staff and volunteers to complete an annual 'Declaration'. See Appendix 4 and Appendix 5 for details. Wiltshire Council recommends that the staff declaration forms are securely disposed of after the information is recorded on the SCR. The school adheres to this policy.

**This policy cannot cover every eventuality. Its purpose is to alert you to some of the matters about which queries are received. It does not replace the general requirements of the law, common sense and good conduct.**

**If you are uncertain about what to do in a particular situation or you require further information or guidance on the appropriate course of action to take in any situation you must contact the Headteacher for advice before you take any action.**

Appendix 1

# Behaviour Policy for Staff and Volunteers #7

Please sign the attached form and return it to the school office, where it will be photocopied and returned to you.  
A copy is kept in our Safeguarding File.

**Adhere to the following practical guidance:**

1. Speak to and treat all members of the school community with courtesy and respect.
2. Take care of your language and conduct, so that it does not give rise to comment or speculation. (Attitudes, demeanour and language all require care and thought when dealing with children.)
3. Always act in the child's best interests.
4. Model positive relationships with other adults.
5. Model the school rules e.g. walk in the Walk Zone!
6. Avoid any conduct, which would lead any responsible person to question your motive or intentions.
7. Ask for advice if you need it.
8. Maintain appropriate professional boundaries.
9. Wear clothes, which are not likely to be viewed as offensive, revealing or sexually provocative.
10. Maintain your own privacy and refrain from asking children to undertake personal errands. Do not give children your private contact details, including mobile phone number and e-mail address. Do not contact children via text, e-mail or web-based communication channels (i.e. Facebook and Twitter) Do not have secret social contact with young people or their parents.
11. Avoid using your mobile phone whilst on school premises. (Please consult the Headteacher in an emergency)
12. Only give prizes, gifts, cards or treats in consultation with the Headteacher.
13. Not to indulge in horseplay. (I.e. tickling / chasing etc.)
14. Regard all friendships between children as "platonic" and do not to sexualise or impose adult perceptions onto boy / girl, boy/boy or girl/girl friendships.
15. Report any incidents or indications that suggest a child may have developed an infatuation with an adult in the workplace.
16. Report any incidents which may place a child at risk or which may compromise the school or your own professional standing.
17. Ensure the safe use and disposal of information and data. (think about where you leave paperwork and shred/delete as appropriate)
18. Do not chew gum or eat sweets when working in school.

I have read the Behaviour Policy for Staff and Volunteers (SAFE WORKING PRACTICE) #7 and the practical guidance provided by Stratford-sub-Castle Church of England Primary School and agree to abide by its contents.

Signed .....

Date .....

Capacity involved with the school:.....

## Appendix 2

# Stratford-sub-Castle Church of England VC Primary School

## ANNUAL SAFEGUARDING DECLARATION FOR STAFF

Please sign to declare that you have read and understood your responsibilities under the following policies and documents. These are all available on the school's SHAREPOINT under the GOVERNOR / POLICY section or on the schools web-site

Safeguarding Declaration **2020/2021**

I confirm that I have read and understood my responsibilities under the following policies and documents.

NAME: \_\_\_\_\_

POLICY / DOCUMENT	VERSION	SIGNATURE	DATE
Acceptable Use of Technology Policy for Staff, Visitors and Volunteers	5		
Behaviour Policy for Staff and Volunteers (Safer working practice)	8		
Code of Conduct for Teaching and Support Staff	7		
Keeping Children Safe in Education. September 2020 Part 1 and Annex A	2020		
Prevent Fact Sheet (Staff handbook)			
Child Protection Policy	22		
Health and Safety Policy (Includes fire procedures)	11		
Intimate Care Policy	4		
Safeguarding Policy	22		
Security Policy	6		
Visitors Policy	9		
Whistle Blowing Policy	6		
Employee Emergency Information Form (only if you want to for your own peace of mind)			
Medical Questionnaire (only if you want to for your own peace of mind)			

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

THANK YOU!

Appendix 3

Stratford-sub-Castle Church of England VC Primary School

**ANNUAL SAFEGUARDING DECLARATION FOR**  
**VOLUNTEERS**

Please sign to declare that you have read and understood your responsibilities under the following policies and documents.

Safeguarding Declaration **2020/2021**

I confirm that I have read and understood my responsibilities under the following policies and documents.

NAME: \_\_\_\_\_

POLICY / DOCUMENT	VERSION	SIGNATURE	DATE
Acceptable Use of Technology Policy for Staff, Visitors and Volunteers	5		
Behaviour Policy for Staff and Volunteers (Safer working practice)	7		
Keeping Children Safe in Education. September 2020 Part 1 and Annex A	2020		
Child Protection Policy	22		
Health and Safety Policy (Includes fire procedures)	11		
Intimate Care Policy	4		
Safeguarding Policy	22		
Visitors Policy	9		
Whistle Blowing Policy	6		
Employee Emergency Information Form (only if you want to for your own peace of mind)			
Medical Questionnaire (only if you want to for your own peace of mind)			

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

THANK YOU!

## Information for all staff and volunteers regarding changes to legislation relevant to the safeguarding of children

**What does disqualification mean?** In summary, **disqualification** means the person:

- is included on the Disclosure and Barring Service (DBS) Children's Barred List; or
- has been found to have committed certain violent/sexual criminal offences; or
- is subject to certain orders in relation to the care of children e.g. had a child in their care placed under a care order; or
- has been refused or has had cancelled registration relating to childcare, or children's homes, or has been prohibited from private fostering; or
- has been found to have committed an offence overseas (which would constitute an offence if it had been done in any part of the UK).

### **Disqualification by association:**

The Department for Education (DfE) has abolished the legislation that required schools and academies to carry out checks on some adults who work or volunteer with children in respect of convictions, cautions, reprimands or warnings for relevant offences of anyone living or working in their household. Schools and academies must not carry out these checks and all records that they hold regarding checks previously carried out under the old legislation need to be destroyed.

Disqualification by association is only relevant where childcare is provided in domestic settings (for example where childminding is provided in the home).

### **Disqualification under the Childcare Act 2006 (updated 2018):**

#### **A. The Act applies to:**

Those in nursery, primary or secondary school settings who provide:

- **Early years** childcare (up to and including reception year) or
- **Later years** childcare (this covers children above reception age but who have not attained the age of 8) outside of the normal school day. This include before-school settings, such as breakfast clubs, and after school provision.

Or if they are **directly concerned with the management of such childcare**.

#### **B. The act does not apply to:**

- Staff who have no involvement in the management of relevant provision and only provide:
  - education, childcare or supervised activity during school hours to children above reception age
  - childcare or supervised activities out of school hours for children who are aged 8 or over
- Staff involved in any form of health care provision for a child, including:
  - school nurses
  - speech and language therapists
  - education psychologists

In general individuals undertaking the following roles would normally be excluded:

- caretakers
- cleaners
- drivers
- transport escorts
- catering staff
- office staff
- governors and proprietors are not covered by the legislation, unless they volunteer to work in relevant childcare on a regular basis, or they are directly concerned with the day-to-day management of such provision.

### **What staff, volunteers and all adults at our school must do:**

- If the Act applies to your role, (see 'A' above) you will need to complete the attached declaration form.
- While the 'disqualification by association regulations' are no longer applicable to adults working in a school setting, you should inform Mrs Bridson about any relationships or associations both within and outside school (including online) that may have implications for the safeguarding of children.
- The school carried out all the required clearance checks before you started to work here. You have a responsibility to inform Mrs Bridson of any subsequent changes in circumstances.

## Appendix 5

### **Declaration of disqualification Existing staff & volunteers**

Staff and volunteers who meet at least one of the criteria (a, b or c) below must complete this declaration annually:

The member of staff or volunteer either:

- a) provides early years childcare (including reception year) or
- b) provides later years childcare (covers children above reception age but who have not attained the age of 8) during out-of-school provisions, such as breakfast clubs or afterschool provisions or
- c) is directly concerned with the management of such childcare.

**Name:**

**Role(s):**

The criteria for disqualification include:

(If necessary, you can refer to [a list of all relevant offences](#) by clicking on this link, or you can obtain a copy from the Designated Safeguarding Lead)

Indicate whether each of the criteria apply to you:

- |  |                 |
|--|-----------------|
| • included on the Disclosure and Barring Service (DBS) Children's Barred List;   | <b>Yes / No</b> |
| • being found to have committed certain violent/sexual criminal offences;  | <b>Yes / No</b> |
| • certain orders in relation to the care of children e.g. had a child in your care placed under a care order;                      | <b>Yes / No</b> |
| • refusal or cancellation of registration relating to childcare, or children's homes, or being prohibited from private fostering;  | <b>Yes / No</b> |
| • being found to have committed an offence overseas (which would constitute an offence if it had been done in any part of the UK). | <b>Yes / No</b> |

**Sign below to confirm that you understand your responsibilities in safeguarding of children:**

I understand that I am expected to inform the school of any relationships and/or associations that I might have, either inside or outside of school (including online) that may have implications for the safeguarding of children in the school.

I understand that should my circumstances change in any way which might be relevant to the safeguarding of children while working at the school, I will inform Mrs Bridson without delay.

**Signed:**

**Date:**

Relevant Legislation: [Disqualification under the Childcare Act 2006](#) (revised August 2018)

If you have any concerns or queries about filling in this declaration, contact Mrs Bridson. The information you give will be kept securely and in accordance with the requirements of the GDPR and DPA 2018.

**Note to Headteachers/Managers:**

Schools/settings may choose to keep details of those checks as part of the Single Central Record, or they may retain a separate record. Wiltshire Council recommends that the staff declaration forms are securely disposed of after the information is recorded on the SCR (or elsewhere).

**Appendix 6**

**Declaration of disqualification  
New applicants**

New applicants who meet at least one of the criteria below (a, b or c) must complete this declaration as part of the application process:

The role requires that the applicant:

- a) provides early years childcare (including reception year) or
- b) provides later years childcare (covers children above reception age but who have not attained the age of 8) during out-of-school provisions, such as breakfast clubs or afterschool provisions or
- c) is directly concerned with the management of such childcare.

**Name:** \_\_\_\_\_

**Role(s):** \_\_\_\_\_

The criteria for disqualification include: (If necessary, you can refer to <a href="#">a list of all relevant offences</a> by clicking on this link, or you can obtain a copy from the Designated Safeguarding Lead)	Indicate whether each of the criteria apply to you:
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<ul style="list-style-type: none"> <li>• included on the Disclosure and Barring Service (DBS) Children’s Barred List;</li> </ul>	<b>Yes / No</b>
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<ul style="list-style-type: none"> <li>• being found to have committed certain violent/sexual criminal offences;</li> </ul>	<b>Yes / No</b>
---	-----------------

<ul style="list-style-type: none"> <li>• certain orders in relation to the care of children e.g. had a child in your care placed under a care order;</li> </ul>	<b>Yes / No</b>
---	-----------------

<ul style="list-style-type: none"> <li>• refusal or cancellation of registration relating to childcare, or children’s homes, or being prohibited from private fostering;</li> </ul>	<b>Yes / No</b>
---	-----------------

<ul style="list-style-type: none"> <li>• being found to have committed an offence overseas (which would constitute an offence if it had been done in any part of the UK).</li> </ul>	<b>Yes / No</b>
--	-----------------

**Sign below to confirm that you understand your responsibilities in safeguarding of children:**

I understand that I am expected to inform the school of any relationships and/or associations that I might have, either inside or outside of school (including online) that may have implications for the safeguarding of children in the school.

I understand that should my circumstances change in any way that might be relevant to the safeguarding of children while working at the school, I will inform Mrs Bridson without delay.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Relevant Legislation: [Disqualification under the Childcare Act 2006](#) (revised August 2018)  
 If you have any concerns or queries about filling in this declaration, contact Mrs Bridson.  
 The information you give will be kept securely and in accordance with the requirements of the GDPR and DPA 2018.

Note to Headteachers/Managers: Schools/settings may choose to keep details of those checks as part of the Single Central Record, or they may retain a separate record. Wiltshire Council recommends that the staff declaration forms are securely disposed of after the information is recorded on the SCR (or elsewhere).

*Wiltshire Council, November 2018*

