



HAMPTON COURT HOUSE
Independent Co-Educational School

Child Protection Policy
2011 – 2012

Contents

Child Protection Policy.....	2
Aim	2
Designated Person	2
Our Commitment.....	2
Protecting children who might be suffering abuse or neglect outside school.....	3
Protecting children against physical or sexual abuse by a member of staff	4

Child Protection Policy

Aim

1. The school has a duty of care for all its pupils and this includes the duty to protect its pupils from abuse. This policy is designed to clarify the procedures employed the school in order to carry out its duty.

Designated Person

2. There is a member of staff who is the Designated Person responsible for matters relating to child protection and welfare at the school. Other members of staff are also all regularly trained in child protection.

Our Commitment

3. Our policy and our commitment at the School is to take all reasonable measures to safeguard and promote the welfare of each pupil in our care and to:
 - a. ensure that we practise safe recruitment by checking the suitability of staff and volunteers to work with children and young people in accordance with the guidance given in "Safeguarding Children and Safer Recruitment in Education" and the Education (Independent School Standards) (England) Regulations 2010. Accordingly Applicants for staff and voluntary posts must be willing to undergo child protection screening appropriate to the post, including references from previous employers, and a Criminal Records Bureau check at the enhanced level. Interviews will be conducted in person by a member of staff trained in safer recruitment, and they will explore candidates' suitability to work with children;
 - b. ensure that we carry out all necessary checks on the suitability of people who serve on the School's governing body in accordance with regulations and guidance given in *Safeguarding children and safer recruitment in education*;
 - c. ensure that all teaching staff and non teaching staff who regularly come into contact with pupils receive child protection training, carried out by the Designated Person or other appropriately qualified staff, on appointment and at three yearly intervals thereafter;
 - d. ensure that where the School ceases to use the services of any person (whether employed, contracted, a volunteer or student) and that person was considered unsuitable to work with children, that no compromise agreement is entered into which prevents reporting and that a prompt and detailed report is made to the Independent Safeguarding Authority (ISA) within one month of that person leaving the school; the address for referrals is PO Box 181, Darlington, DL1 9FA (tel. 0300 123 1111);
 - e. ensure that where staff from another organisation are working with our pupils on another site, the School has received appropriate assurances that approved child protection checks and procedures apply to those staff;
 - f. protect each pupil from any form of abuse, whether from an adult (a member of staff or a volunteer) or another pupil;
 - g. to understand the four key areas of abuse (physical, emotional, sexual and neglect) and to be alert to signs of abuse or possible abuse, both in the School and outside;
 - h. deal appropriately with every suspicion or complaint of abuse;
 - i. design and operate procedures which promote this policy and which, so far as possible, minimise the impact upon the innocent of unfounded allegations;

- j. support children who have been abused in accordance with his/her agreed child protection plan;
- k. be alert to the medical needs of children with medical conditions;
- l. operate robust and sensible health & safety procedures;
- m. take all practicable steps to ensure that school premises are as secure as circumstances reasonably permit;
- n. operate clear and supportive policies on drugs, alcohol and substance misuse;
- o. consider and develop procedures to deal with any other safety and welfare issues which may be specific to individual children in the School or in our local area;
- p. have regard to guidance issued by the Secretary of State for Children, Schools and Families in accordance with section 157 Education Act 2002 and associated regulations.
- q. Ensure that any weaknesses or deficiencies in the School's child protection arrangements are remedied without delay.

Protecting children who might be suffering abuse or neglect outside school

- 4. Protecting children who might be suffering physical, sexual or emotional abuse or neglect outside school.
 - a. Allegations of abuse or staff suspicions of abuse.
 - i. Members of staff have a duty to report any allegations by pupils who might be suffering or are at risk from suffering significant harm to the school's Designated Person – the Head of Lower School – or to the Head of Upper School. School staff should listen to and hear any allegations but must not carry out investigations or decide whether children have been abused. Questions, particularly leading ones, should be avoided as the child must be allowed to present their account uninterrupted. Where possible, the child's statement should be taken verbatim and a dated, written record of any such allegations made to staff must be kept. **In no circumstances should a member of staff promise confidentiality to the child. The child must be made aware that the details of the allegation will be passed on to those who need to be informed.**
 - ii. The Designated Person will discuss the concerns brought to her / him with the pupil concerned in the presence of the referring staff member or alone if the pupil requests this. This will not be an in depth interview but will attempt to clarify the pupil's account. Such a discussion will be carried out with an open and enquiring mind and in a manner and at a pace that reflects the seriousness of the allegations. The adults will take care not to ask leading questions or to suggest explanations and confidentiality will not be promised to pupils. The pupil will be informed what is to happen next and an accurate record of the meeting will be written up by the Designated Person or Head of Upper School.
 - iii. The Head of Lower School and The Head of Upper School will keep each other informed of the situation and may refer it to the appropriate local government agency along with an account of any action taken. Where appropriate the school will contact parents to inform them of this. The school may be represented at any case conference resulting from any social services/police investigations. If no report is made to the appropriate local government agency the school will keep a confidential record of the original concerns. This will be held on a pupil's file for three years after the pupil has left the school.

- b. Action in event of ongoing concerns about a pupil's welfare
 - i. If staff are concerned about a pupil's appearance, behaviour, health, academic progress or relationships, but have no reason to suspect abuse, they should inform the Designated Person.
 - ii. The Designated Person will arrange an appointment with the pupil's parents/guardians as soon as possible. A written record of the meeting will be kept along with an account of parental reactions to questions. If necessary, these should be forwarded to the local government agency which will then decide whether to investigate the case or to allow the situation to be dealt with by the school.

Protecting children against physical or sexual abuse by a member of staff

- 5. Protecting children against physical or sexual abuse by a teaching/non teaching member of staff including the Designated Persons.
 - a. Any member of staff to whom allegations about another member of staff are made should act as at paragraph 4.a.i. Where allegations are made against the Head of Lower School this must be reported to the Head of Upper School and where allegations are made against the Head of Upper School all information should be passed to the Head of Lower School who will carry out the Designated Person's role in any further action.
 - b. The Headmaster should have a full, written report within 24 hours of the first interview.
 - c. Preliminary investigation.
 - i. The Headmaster will carry out a preliminary investigation to decide whether to refer the matter to a local government agency. This may be carried out in consultation with senior colleagues should the Headmaster wish to involve them and should involve the gathering of information about times, dates, locations and names of possible witnesses. It should not involve interviewing the child making the allegation, other children or the member of staff against whom the allegation has been made as such actions may be perceived as an attempt to interfere with evidence.
 - ii. A referral will be made if a potential criminal act has been alleged or if the child indicates that he/she has suffered, is suffering or is likely to suffer significant harm. A decision not to refer can be taken where the allegation involves the use of reasonable force to restrain a pupil; where the allegation concerns 'inappropriate behaviour or poor practice' on the part of staff or where it is clear that it is impossible for the allegation to be true.
 - iii. When an allegation is made against a supply teacher provided by an employment agency or against a person employed by a contractor, or a volunteer provided by a voluntary organisation, normal disciplinary procedures may not be appropriate because the person is a volunteer or self employed. Although in those cases the school will not have a direct employment relationship with the individual, it and the other organisation concerned, if any, will need to be involved and cooperate in an investigation, and in reaching a decision about whether to continue to use the person's services, or to provide the person for work with children in future, and whether to report the person to DfE.

- d. If it is found that the allegation is wholly unfounded or of a trivial nature, the Head of Upper School will:
 - i. consider whether a referral to the appropriate local government agency is appropriate. Other measures may include disciplinary action or counselling.
 - ii. take no further action against the member of staff concerned under disciplinary or child protection procedures, but should notify the member of staff of the allegation and the fact that no further action is to be taken both orally and in writing.
 - iii. inform the parents of the facts of the allegation and its disposition.
 - iv. write a full report, explaining why no further action was taken. This should be stored with the pupil's original statement.
- e. Suspension
 - i. Where it is decided that the allegation has some foundation, it may be deemed appropriate to suspend the member of staff against whom the allegation was made pending the outcome of external and/or internal investigations. Suspension may be requested by the appropriate local government authority or by the police – though the final decision to suspend remains with the Headmaster. Suspension is likely to occur in a situation where a child is deemed to be at risk, or where the alleged conduct by the member of staff may result in dismissal for gross misconduct or when it is deemed necessary to the efficient conduct of an investigation. Suspension is a neutral act and would be without prejudice and on full pay. Voluntary alternatives (such as paid leave of absence) could also be considered.
 - ii. Where consideration is being given to suspension an interview should be conducted with the member of staff against whom the allegation has been made (in the presence of a third party should the member of staff so wish). The member of staff should be informed of the allegation and provided with all possible information not prejudicial to the course of any investigation. If a decision to suspend is taken at this meeting, the member of staff should be informed of the decision in writing within one day of the meeting. The member of staff should be regularly updated on the progress of the case. The pupil making the allegation (and parents) should also be informed of the suspension.
- f. Referral
 - i. Where a decision is made to refer the allegation to the appropriate local government agency, the Head of Upper School will be involved in discussions about the future development of the case. Such discussion should include consideration of whether other children may be at risk in the light of the allegation and should review any earlier allegations. In such discussions the needs of the investigation will be balanced against those of the accused member of staff.
 - ii. In cases involving possible criminal conduct, the police may wish to interview those involved in the matter prior to notification by the school. Full co-operation with police enquiries will be given, though police interviews would not normally take place in school in the ordinary course.
 - iii. Some cases will also need to be reported to DfE (from 2009, the ISA) for consideration of including the person on the appropriate Protection of Children lists, or consideration by the General Teaching Council (GTC), about possible sanctions against an individual. The local government agency should discuss with the school whether a referral to DfE or GTC is required, or advisable, and the form and content of a referral.

g. Disciplinary Procedures

- i. Where a decision not to make a referral is made, school based disciplinary procedures may still be appropriate if it is felt that the behaviour of the member of staff was misguided, ill judged or unprofessional. The Headmaster will then conduct an investigation. All information collected should be made available to the parties to the matter. Should evidence come to light suggesting that a referral is appropriate, the internal investigation should be suspended whilst this takes place.
- ii. In conducting the investigation, the Headmaster will interview all relevant parties who may be accompanied and who will sign a written statement produced at the end of the interview. The member of staff against whom the accusation is made should have the opportunity to add any witnesses to the list of those to be interviewed. When interviewing the child making the allegations, the guidelines set out at 4.a.i will be followed.
- iii. Following the completion of all interviews and a full examination of the relevant evidence, a written report will be produced on which a decision about future action will be based. Once such a decision has been made, the Headmaster should arrange a meeting with the member of staff against whom the allegation was made to inform him of the outcome of the investigation and what subsequent disciplinary action, if any, will follow. If gross misconduct is proved to the satisfaction of the Headmaster, he has the power to dismiss the member of staff concerned without previous warnings and without notice. He will inform the member of staff of his/ her right to appeal to the Governing Body. He will also inform the member of staff that details of the case will be reported to the DfE Teachers' Misconduct Section with the possible consequence of debarment from future teaching posts.
- iv. If a member of staff tenders his or her resignation, or ceases to provide their services, this must not prevent an allegation being followed up in accordance with these procedures. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children including any in which the person concerned refuses to cooperate with the process. A compromise agreement, by which a person agrees to resign if the school agrees not to pursue disciplinary action, must not be used in these cases.
- v. Where consideration of the evidence suggests that the allegation does not involve a possible criminal offence the school will deal with it internally. In such cases, if the nature of the allegation does not require formal disciplinary action, the Headmaster should institute appropriate action within 3 working days (see d). If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days. If further investigation is required to inform consideration of disciplinary action, it should aim to provide a report within 10 working days. On receipt of the report of the disciplinary investigation, the Headmaster should decide whether a disciplinary hearing is needed within 2 working days. If a hearing is needed it should be held within 15 working days.
- vi. Records of all investigations should be stored in the file of the pupil making the allegation along with a copy of the student's statement in the section of the file not open for disclosure. The teacher's record should be retained at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.
- vii. At the end of the process, the Headmaster will consider the need for a review of school policies or further staff training in the light of the results of the investigation.