

# Red Balloon NW London



**Red Balloon**  
**LEARNER CENTRES**  
For the recovery of bullied children

## Policy Directory

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Charity no. 1109947



# Red Balloon NW London

## Policy Directory

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Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• The SEN Code of Practice</li> <li>• Admissions Criteria</li> <li>• Admissions process</li> <li>• Transition arrangements and initial trial period</li> <li>• Records management</li> </ul>

## **Purpose**

This policy enshrines that RBNWL seeks to clarify its 'target group' of students and to ensure that all students admitted will benefit from placement and allow/enable other students to progress academically and 'personally'.

## **Scope**

The headteacher is responsible for ensuring that all potential commissioning agents, parents / carers of prospective students and the students themselves understand the requirements for admission and continued attendance.

## **Policy statement, provision and safeguards**

RBNWL is an independent school providing for young people who are either not attending school (mainstream or other) or finding continued attendance at school damaging to their mental health.

RBNWL provides for students studying at KS3 and KS4. On occasion they may admit a student who is chronologically outside those key stages, but whose needs are best met by studying at either of these levels (eg a year 12 student who has missed a significant amount of their secondary education and needs to gain accreditation at GCSE level).

Admission may be sought either by parents or by a commissioning agent, the latter being most frequently school or local authority.

Our expectations are that any young person referred to RBNWL will:

- want to attend RBNWL,
- have a commitment to learning,
- acknowledge the needs and rights of other members of the community and their own responsibilities in ensuring those rights are met.

It is essential that all potential referrers grasp fully the requirements of the final criterion. RBNWL seeks to offer an environment within which students can study successfully, and develop self efficacy, a place within which they feel physically and emotionally safe at all times. The centre is small and students have to be able to work together in a supportive manner. All students must contribute positively to the environment, or, at the very least, not actively damage the learning or personal development of their peers.

## **The SEN Code of Practice**

Under the SEN Code of Practice, if a local authority consults with RBNWL regarding a student with an EHCP, RBNWL is required to offer them a place, unless:

- It would be unsuitable for the student's age, ability, aptitude or needs

- The student's attendance would be incompatible with the efficient education of others, or the efficient use of resources.

## **Admissions Criteria**

Due to the highly individual nature of the provision at RBNWL it is not considered appropriate to have blanket admissions criteria - each student should be viewed as an individual and assessed for suitability as such. It is extremely important that the admissions process should be open-minded, fair and non-judgmental.

However, there are particular "red flags" when reading a student's paperwork that would mean that a place would usually be declined, on the basis of the second criteria above - that their attendance would be incompatible with the efficient education of others.

These red flags include:

Persistent, or extreme, physically aggressive behaviour

Persistent bullying of peers (where previous intervention has failed to prevent this)

Persistent and regular tendency to abscond (as we are not a secure site)

It is important that RBNWL does not unfairly discriminate against students and therefore the above criteria are put in place purely because of the vulnerable nature of our students. Our students, who have experienced abuse or bullying in the past, would be further traumatised by exposure to the above and therefore the education of these students would be incompatible with the efficient nature of our other students.

An important caveat to the above criteria is where a student has demonstrated aggressive behaviour in the past only when highly stressed, for example, when in an unsuitable mainstream environment and when placed in an untenable situation for them. Many of our students have found themselves in situations prior to joining RBNWL where aggressive behaviour has felt like the only way they were able to communicate their extreme distress and this should not be seen as grounds for unsuitability.

There are also occasions when a student referral is deemed to be inappropriate - we cannot refuse to offer a place under the SEN code of practice but we may advise that the students' needs could be better met elsewhere. This includes where the student's primary need is not a Social, Emotional and Mental Health (SEMH) need - for example a student with moderate learning difficulties but no SEMH needs. This may also include where a student has complex medical/physical needs and these are their primary area of need.

## **Admissions process**

Referrals at RBNWL are received and processed according to the following initial procedure.

- Referral is received from the local authority SEN team;

- Referral is screened by means of an initial review of paperwork for obvious examples of unsuitability as described above - immediately unsuitable referrals are declined at this point.
- Potentially suitable referrals are added to a prospective student list and dated to assist with future admissions priority. From the date of receipt we have 14 days to respond to the local authority;
- Parent/carer is contacted to arrange an informal visit to the centre. The visit will also include time spent with the headteacher where an informal chat with the student and parent/carer can provide valuable opportunity for assessment of the student's SEMH needs. This visit can also include an informal activity with the SENCo, in cases where the SENCo has concerns about their ability to access the curriculum.
- Written permission is requested from parent/carer to contact other professionals working with the student.
- Once written permission is received, telephone appointments are arranged and calls made with the SENCo of the previous school as well as other professionals e.g. CAMHS where appropriate.
- The EHCP and all appendices are carefully reviewed for any areas of concern which may not have become immediately apparent. Questions are asked of the local authority SEN officer if clarification is necessary.
- A response is provided to the local authority SEN team detailing: whether we can meet the student's needs; the level of provision required; the cost of this provision; and a provisional start date.
- Students for whom it is decided we are unable to meet their needs have their details removed from our records at this point.
- The local authority will respond and let us know whether they agree to fund the student for a place at RBNWL (note: they will have usually consulted with more than one provision so it may be that we lose even the most suitable students at this stage on the basis of cost or geographical location).
- We will agree a start date with the local authority, complete placement agreements and make arrangements for the student's admission. The student will begin our person centred transition arrangements which are overseen by the SENCo.

## **Transition arrangements and initial trial period**

Each student receives a person centred transition into the centre. Some students are ready to start immediately on a full time basis, some students are very anxious and may only be able to walk past the centre with their hood over their faces and take a quick peek at it - and there is a whole spectrum of presentations between these two extremes. Therefore some students receive a period of outreach home support before coming to the centre - and most students receive a graduated transition to a full time timetable.

Once a student starts attending the centre, there is a 6 week trial period where we have the opportunity to assess more thoroughly whether we are able to meet their needs. Some students' needs have not been accurately assessed or documented - and some students

present very different needs in the RBNWL environment in comparison to their previous environment.

Initial strategies used by staff are those documented in the EHCP, which is distilled into a smaller summary document by the SENCo and which all staff read and sign before working with the student.

The staff team meets at the point where the student has been attending the centre for three weeks. At this point a 'formulation' is produced for the student, with all staff members contributing their thoughts, experiences and useful/unproductive strategies they have found for that student.

Having produced a formulation based on every staff member's contribution and experience with the student, the SENCo compiles a list of strategies that are working well in our environment and updates the summary document accordingly. These are strategies that the SENCo looks out for staff using when completing learning walks and observations. This assessment and formulation is carried out at the three week point in order that alternative strategies can be tried during the 6 week assessment period, where this is decided to be necessary.

At the 6 week point, the staff meet again and decide whether it is possible to meet the student's needs at RBNWL and whether their needs are compatible with the needs of other students. Terminating a student's placement at this stage would undoubtedly be very difficult for the student, but the careful initial admissions process means that this is very rare - although it is used where necessary.

## **Records management**

The Headteacher is responsible for the safekeeping of this policy. This policy will be available for all staff on the staff drive.

### **Legislation and Guidance that inform this document**

- The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations (2012)

### **Other Red Balloon policies to be read in conjunction with this one**

- Use of Reasonable Force

Policy document control box	
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Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• Objectives</li> <li>• Guidance for Students</li> <li>• Guidance for Parents</li> <li>• Legislation and guidance that inform this document</li> <li>• Other Red Balloon policies to be read in conjunction with this one</li> <li>• Additional Sources of Guidance/Information</li> <li>• Other RBNWL policies that should be read in conjunction with this one</li> </ul>



## Purpose

This policy enshrines that Red Balloon promotes the values of mutual respect and tolerance. We seek to establish a caring and secure setting in which all students can be themselves and feel valued and respected. Therefore, the overarching goals of this policy are to:

- prevent bullying occurring;
- ensure fast and effective resolution of bullying when it does occur.

## Scope

All staff are responsible for reading and implementing this policy to ensure that bullying is prevented at Red Balloon, insofar as reasonably practicable.

All staff are responsible for promoting such positive staff/student relationships as to ensure students feel able to disclose and discuss situations in which they have felt bullied.

All staff are responsible for maintaining vigilance so that behaviours that may constitute bullying can be detected and challenged.

## Policy statement, provision and safeguards

### *Objectives*

- All staff, students and parents/carers should understand what bullying is.
- All staff, students and parents should know what Red Balloon's policy on bullying is and what they should do if bullying occurs.
- All students should be aware of the serious consequences of bullying and know that this behaviour is not tolerated.
- All students should understand how they can help to prevent bullying (including as bystanders) by reporting it to an appropriate adult..
- Anyone who does bully is made fully aware that their behaviour is unacceptable. Staff seek to help them to understand how their behaviour affected another person, how they can change it and what amends need to be made.
- Everyone involved, whether perpetrator, victim or bystander, maintains their right to unconditional positive regard.

### **Definition of bullying**

Bullying is any behaviour, repeated over time, that:

- deliberately hurts someone, physically and/or emotionally;
- is unwanted by the recipient;
- is unwarranted.

No list can include every action or activity that might be classed as bullying but staff will work with students to ensure they understand the following descriptions/definitions: *Bullying involves actions (including physical, spoken, written, drawn, gesture, specific body language, facial expression... and can be actual or virtual, ie. through personal contact or online) that physically, verbally or indirectly hurt or injure another individual, that threaten or frighten, that are demoralising or humiliating, that psychologically hurt or injure.*

Bullying is often motivated by prejudice against particular groups, eg. on grounds of ethnicity, religion, gender, sexual orientation or disability. It might be motivated by actual or perceived differences between young people. It often involves an imbalance of power between the perpetrator and the victim, whether physical, psychological, intellectual or social; this can make it difficult for those bullied to defend themselves.

Bullying may involve:

- the use of demeaning, ageist, racist, religious, cultural, sexual, sexist or homophobic names or language, or language related to special educational needs and disability - it can be direct or indirect;
- hurtful, upsetting or distressing comments about another individual's or group's racial, ethnic, cultural or linguistic background, religious beliefs, sexual orientation, age or gender identity;
- hurtful, upsetting or distressing comments about one or more individuals with a special educational need or disability or learning difficulty;
- picking on an individual or group;
- pushing, punching, hitting, kicking or any physical violence;
- teasing, mocking, taunting or making offensive comments;
- spreading rumours;
- ostracising a student - deliberately ignoring or avoiding a fellow student and/or encouraging others to do the same;
- repeatedly criticising or making personal comments to an individual or group;
- threatening behaviour;
- unacceptable body language;
- taking or damaging property;
- producing offensive graffiti;
- placing a victim in a position where they cannot defend themselves.

This list is illustrative but not exhaustive.

Although bullying is not a specific criminal offence, there are laws which apply to harassment because of age, race, culture, disability, gender identity and sex, the misuse of technology, threatening behaviour and racist behaviour.

## Specific types of bullying

*Bullying related to race, religion or culture:* This includes racist or faith-based bullying. Political and social issues can also be a factor in bullying and harassment.

*Bullying related to special educational needs and disabilities:* Students with SEND can be more at risk of bullying than their peers. They may not have the social confidence and competence to protect themselves against bullying or the communication skills to report it.

*Bullying related to appearance or health conditions:* Perceived physical appearance, such as size and weight, and other body image issues can be the object of bullying.

*Bullying related to status, wealth etc:* Perceived extremes of affluence (poverty, richness) can lead to victimisation, especially if a student or their family is not able to afford items of clothing or other 'desirable' possessions.

*Bullying related to sexual orientation:* This refers to any hostile or offensive action against those who are (or are perceived to be) lesbian, gay, bisexual or transgender. Homophobic bullying is perhaps the form of bullying least likely to be self-reported, since disclosure carries risks not associated with other forms of bullying (for example, the student may not want to report bullying if it means 'coming out' to teachers and parents before they are ready to). This type of bullying may also affect students whose parents or other family members are (or are perceived to be) lesbian, gay, bisexual or transgender.

*Sexist or sexual bullying:* Sexist and sexual bullying affect both genders; students identifying as transgender or experiencing gender dysphoria (feeling that they belong to another gender or do not conform with the gender role prescribed to them) can also be targeted. Sexual bullying may be characterised by name-calling, comments and overt 'looks' about appearance, attractiveness and emerging puberty. It may involve uninvited touching, innuendo, propositions, pornographic imagery, graffiti or sexting (sending sexually explicit images or messages, usually by mobile phone).

*Cyber-bullying (refer to the Red Balloon E-safety Policy):* Cyber-bullying includes malicious, upsetting, repeated emails, images, texts, videos, tweets or other messages/postings sent directly to, or about, an individual. It may involve the use of mobile phones, email, internet messaging services, gaming or social media (eg. FaceBook, Twitter, Instagram, Snapchat, WhatsApp) and other technologies and applications that may become available in the future. There is no escape for the victim, as there is 24/7 contact, and the impact of such bullying is magnified through its relentless nature and the massive potential audience.

## Preventing Bullying

Red Balloon aims to foster a safe environment (both in person and online), where individuality is celebrated and students can flourish without fear or harassment, irrespective

of their race, religion, gender, sexual orientation and special educational needs or disabilities. Our ethos is one of mutual respect and tolerance. This is both embedded in Red Balloon's culture (eg. staff modelling respectful behaviour and relationships) and addressed directly (eg. issues of difference and prejudice discussed in PSHE lessons).

## Responding to Bullying

Bullying hurts and inevitably causes pain and distress. No one deserves to be a victim of bullying. Whilst it can take many forms, all bullying, both physical and emotional, must be viewed as very serious; it can have a significant and potentially long-lasting impact on an individual's mental health. Perpetrators of bullying behaviour need to understand and acknowledge the negative impact of their actions.

The Head/Coordinator will:

- ensure that all staff are aware of Red Balloon's anti-bullying policies and procedures and their legal responsibilities;
- ensure that students are aware of their responsibilities in preventing bullying, through reporting it to an appropriate adult;
- investigate and take appropriate action on reported incidents of bullying, including cyber-bullying;
- ensure support is provided for both victim and perpetrator, as appropriate for their circumstances and needs;
- keep records of all instances of bullying and review these records to ensure careful monitoring of behaviour, to evaluate the effectiveness of Red Balloon's approach to bullying and to enable any patterns to be identified;
- seek assistance from the police if he/she believes a criminal offence may have been committed.

All staff will:

- know the policy and procedures and deal with incidents in accordance with the policy;
- be vigilant;
- inform the Head/Coordinator of any (suspected or known) bullying;
- take action to reduce the risk of bullying at times and in places where it is most likely;
- always challenge any instances of sarcasm, unpleasant behaviour or put-downs, whether in person or online, and take further action as appropriate.

## Guidance for Students

If you are bullied or you see another student being bullied (including online), you must tell someone. Ignoring bullying allows it to get worse. Tell an adult that you trust and feel comfortable talking to.

If you tell a member of Red Balloon staff, he/she will:

- listen carefully;
- record what has happened;
- tell you that you have acted correctly in reporting the bullying;
- not put you under any pressure;
- not make you feel that your complaint is silly, that you have 'asked for it' or that the person doing the bullying 'can't help it';
- help you to decide on actions you can take to prevent bullying;
- follow up the incident(s), maybe with other staff after consulting you;
- check with you that the situation has improved, that the bullying has stopped.

*What happens to the person who has been carrying out the bullying?* Staff will ensure that the person who has carried out the bullying is made fully aware that their behaviour is unacceptable.

In accordance with Red Balloon's Behaviour for Learning Policy, staff will seek to enable the student to change their behaviour through the use of restorative justice and discussions about community needs, rights and responsibilities. Staff may involve parents.

If the person does not stop the bullying behaviour, s/he may be required to leave Red Balloon temporarily or permanently.

## Guidance for Parents

Parents **must inform staff** if they suspect or know that there is a problem (in person or online) for their own child or for another child, whether as perpetrator or victim.

It is not always easy for a parent to know that their child is being bullied, but there are some indicators to look out for:

- changes to usual routine;
- unwillingness to attend;
- reluctance to travel on public transport;
- becoming withdrawn, anxious or lacking in confidence;
- becoming aggressive, disruptive and/or unreasonable;
- starting to bully siblings and/or other children;
- not eating;
- claiming to feel ill on school mornings;
- having nightmares, crying themselves to sleep, bedwetting;
- personal possessions/clothes being damaged or going missing;

- asking for unusual amounts of money or stealing money;
- self-harming;
- running away from home;
- being afraid to use the internet or mobile phone;
- nervous when a text message is received;
- unwilling to discuss behaviour.

These types of behaviour could indicate other problems but bullying should be considered and investigated.

Incidents reported by parents or students are taken seriously and followed up immediately. Staff will listen sympathetically; the victim's perception of what happened will not be dismissed. Victims will be reassured that they have acted correctly in reporting the incident, that the complaint is important and that something will be done. The person allegedly carrying out the behaviour will be spoken to and the facts of the incident established.

Parents and students should refer to Red Balloon's Complaints Policy if they feel that their concerns about bullying are not being addressed satisfactorily.

## **Safeguarding and Child Protection**

Safeguarding issues can manifest themselves via peer on peer abuse, including cyber-bullying, physical abuse, sexual harassment and sexting.

If an individual or group of students persists in such behaviour, the Head/Coordinator may choose to remove them from Red Balloon temporarily or permanently. He/she will seek advice from statutory agencies, as appropriate, and make a referral if an incident meets the referral threshold set by the Local Safeguarding Children Board.

If there is 'reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm', a bullying incident is treated as a child protection concern and Red Balloon works with the statutory agencies in accordance with KCSiE, Sept 2019. If a child is considered to be in immediate danger, an immediate referral to children's social care and/or the police will be made. As required by statutory guidance (Working Together, 2018) the Head/Coordinator and/or the Designated Safeguarding Lead will ensure that information is shared with all agencies and professionals involved with the child or family.

Red Balloon will always attempt to support both the victim(s) and the perpetrator(s). However, the requirement for every Red Balloon student to perceive him/herself to be safe - physically and emotionally - is paramount. Therefore, if any student is unable or unwilling to modify their behaviour and another student continues to feel unsafe, the rights of the community are deemed to override those of the perpetrator, who will thus not be allowed to remain within the community (see Red Balloon's Exclusion Policy).

## **Legislation and guidance that inform this document**

- Safe to Learn – Embedding anti-bullying work in schools (DCSF 2007)
- Guidance on Prevention and Tackling of bullying (Gov.UK 2011)
- Preventing Bullying (Gov.UK 2013)
- Preventing and Tackling Bullying - Advice for Headteachers, Staff and Governing Bodies (DfE July 2017)
- Working Together to Safeguard Children (Gov.UK 2018)
- Keeping Children Safe in Education (Gov.UK Sept 2020)

## **Other Red Balloon policies to be read in conjunction with this one**

- Behaviour for Learning
- Curriculum
- E-safety
- Exclusion
- Personal, Social, Health and Economic Education
- Safeguarding and Child Protection
- Staff Code of Conduct
- Well-Being

## **Additional Sources of Guidance/Information**

Outside agencies that can offer support include:

- Childline: 0800 1111
- NSPCC: 0800 800 5000
- Samaritans: 116123

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## **Purpose**

This policy enshrines that RBNWL aims to use assessment to inform teaching and learning. In order to learn effectively students need to be in their 'zone of proximal development', and for teachers to practise well they need to monitor student progress and use that monitoring to inform future practice.

## **Scope**

The Headteacher is ultimately responsible for ensuring that all staff are aware of existing assessment policy and contribute to its development: the daily responsibility for ensuring high quality practice may be delegated and each teacher is responsible for ensuring the quality of their own practice.

## **Policy statement, provision and safeguards**

RBNWL works continually to develop tracking / monitoring systems that will better inform student progress.

Our intention is to monitor individual student progress against projected outcomes grounded in:

- information from previous providers – to include KS2 outcomes where available;
- baseline assessments carried out upon admission to a centre;
- assessment of the impact upon progress of either non school attendance or mental health issues that may have preceded referral to the centre.

## **Assessment for a purpose**

Assessment should be an ongoing process for teacher and learner and will be intuitive and internalised during much of the learning process.

RBNWL will assess student attainment at point of entry to a centre, identify learning (academic and wellbeing) targets, track progress against those targets and provide informative data to receiving schools or establishments when students transfer.

RBNWL will assess student progress in four main ways.

1. Staff, together with commissioning agents, parents/carers, the student and other involved agencies, will determine intended outcomes (ie the purpose of the placement). Most usually one of the intended outcomes will be identification of the next placement (e.g. return to mainstream for KS4, sixth form or further education college at year 12). Progress against intended outcomes will be monitored through twice-yearly review.
2. Staff will assess academic attainment in core subjects (maths, English and science) at point of entry. These assessments will be based upon a mixture of information received from previous educational providers, normative and diagnostic testing and teacher observations and assessment. If any student is identified as requiring a literacy or numeracy 'intervention' / 'catch up' programme, then that will be provided

and progress monitored. Progress within the three core subjects will be monitored by the use of age appropriate levels and against projected GCSE outcomes

3. In the broader curriculum areas (technical, human and social, aesthetic and creative and physical) staff will map the curriculum and monitor progress through age appropriate levels.
4. Given that all students referred to RBNWL will have met difficulties in engaging with learning, usually as a result of some trauma that they have experienced, it is essential that we know and evaluate how effectively our wellbeing provision enables students to re-engage effectively with learning. To that end RBNWL has developed tracking systems that monitor wellbeing progress.

NB RBNWL will work with local schools as appropriate and may adopt some of their assessment tools if they seem likely to add to the pertinent data that can be generated.

The information generated through the tracking of progress will be used:

- with each student to plan effective further provision;
- as part of ongoing management conversations about the quality of RBNWL provision and ways in which we might improve practice.

*It is essential that all staff remain mindful of the impact of a student's emotional state upon their learning, and acknowledge that learning that has been deemed to be mastered may be negatively affected (to the point of being forgotten / unlearned) during periods of emotional stress and may, therefore, require re-learning.*

## **Working with SEND students**

Given the bespoke nature of all RBNWL assessment work, there should be no major difference in the assessment processes undertaken with students with EHC plans, but the headteacher must ensure that:

- appropriate referral procedures have been followed including a clear assessment of whether we are able to meet all identified educational needs;
- an up to date version of the student's EHC plan is received and filed and relevant information made available to all staff;
- formal reviews of progress are undertaken at required intervals - representatives from the SEND department of the local authority must be invited, and a record of the meeting made and shared with all relevant agencies – there must be a formal review at least annually.

The SENCo has responsibility for ensuring that the needs of SEND students are well met.

## **Legislation / guidance that informs this document**

- National Curriculum and Assessment from September 2014 (Gov.uk)

**Other RBNWL policies that should be read in conjunction with this one**

- Curriculum
- Marking

Policy document control box	
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## Purpose

Guidance issued by the DfE (August 2013) includes the following assertion:

*“Central to raising standards in education and ensuring all pupils can fulfil their potential is an assumption so widely understood that it is insufficiently stated – pupils need to attend school regularly to benefit from their education. Missing out on lessons leaves children vulnerable to falling behind. Children with poor attendance tend to achieve less in both primary and secondary school.”*

All RBNWL staff will work to:

- promote good attendance of all students;
- ensure every student has access to full-time education;
- support parents to enable students to attend well;
- enable students to arrive punctually at lessons.

## Scope

This policy applies to all RBNWL students.

## Policy statement, provision and safeguards

### *Responsibility for Implementation*

The headteacher must ensure that RBNWL has clear practice guidelines for encouraging attendance, including a response to non-attendance. A designated administrator is responsible for ensuring that admission and attendance registers are maintained in accordance with this policy.

## Admission and Attendance Registers

The law requires all schools, including independent schools to have an admission register and, with the exception of schools where all students are boarders, an attendance register. All students (regardless of their age) must be placed on both registers. The proprietor of a school who fails to comply with these regulations is guilty of an offence and can be fined. RBNWL will maintain up-to-date, accurate admission and attendance registers.

### *The Admission Register*

The admission register must contain the personal details of every student in the centre, along with the date of admission or re-admission to the centre.

The information to be entered (and updated as necessary) in the admission register includes:

- full name of student;
- sex;
- date of birth;
- date of admission / readmission;

- name and address of all parents / guardians and one telephone number (with an indication as to which of those the student normally lives with and who has parental responsibility);
- address of new or additional place(s) of residence of child and date child began to reside there;
- full name of parent the student lives with;
- name and address of last school attended;
- emergency contact details of parents and carers;
- name of destination school;
- start date at new school;
- any necessary information concerning communication with parents (such as hearing impairment, requirement for information in Braille, language preference).

A student will only be deleted from the admissions register on the grounds prescribed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 (amended Sept 2016).

#### [Amendments to the Admission Register and Attendance Register](#)

Every amendment made to the admission register and attendance register will include:

- the original entry;
- the amended entry;
- the reason for the amendment;
- the date on which the amendment was made;
- the name and position of the person who made the amendment.

Where a parent notifies RBNWL that a student will live at another address, RBNWL will, in accordance with the requirements of statutory guidance (Children Missing Education Sept 2016), record in the admission register: the full name of the parent/carer with whom the student will live, the new address, and the date from when it is expected the student will live at this address.

#### [Preservation of the Admission Register and Attendance Register](#)

In accordance with The Education (Pupil Registration) (England) (Amendment) Regulations 2011 and section 458(4) and (5) of the Education Act (1996) every entry in the admission register and attendance register will be preserved for a period of three years after the date on which the entry was made.

#### [Children at risk of missing education](#)

RBNWL will always inform both the commissioning agent and the local authority (in many cases these will be one and the same) when a student ceases to attend. In the extremely unlikely event that RBNWL excludes a student permanently or for a 'fixed term', the headteacher will ensure that both the commissioning agent and the local authority are informed and that requisite local practice is followed.

As required by statutory guidance (Children Missing Education Sept 2016), when RBNWL notifies a local authority that a student's name is to be removed from the admission register,

RBNWL will provide the local authority with: the full name of the student; the full name and address of any parent with whom the student lives; at least one telephone number of the parent with whom the student lives; the full name and address of the parent who the student is going to live with, and the date the student is expected to start living there, and, if applicable, the name of the student's destination school and the student's expected start date there. RBNWL will also provide the ground in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 under which the student's name is to be removed from the admission register (updated Children Missing Education 2016).

- student has ceased to attend and is to be home educated;
- student has moved out of the area;
- student has been certified as medically unable to continue attending;
- student is detained under a court order;
- student has been permanently excluded;
- student stops attending school named in school attendance order;
- student stops attending one school while registered at two schools;
- student has not returned for 10 days after authorised absence, is not believed to be unwell, and neither the school nor the local authority knows where the child is (NB The school and LA will also now be required to work cooperatively in investigating);
- student has been absent from school for 20 days (continuous) without authorisation;
- student has died;
- student stops attending other types of school;
- student reaches end of compulsory school age and will not be returning to school...

or the student is removed by the commissioning agent.

#### [Children who meet considerable difficulty in maintaining regular attendance](#)

Since students are most usually referred to RBNWL because they have self-excluded from their previous educational provider, or have experienced extreme anxiety when forced to attend, they may have been out of school for some time prior to referral (some of our students have been out of education or non-attending for two years or more), thus a pragmatic approach to initial engagement is required. With the agreement of the commissioning agent, parent/carer and student we may adopt a staged integration or share attendance with another provider. In any such case we will aim for full attendance as soon as possible.

To ensure that attendance figures are in line with legal requirements, RBNWL will mark a student present or absent on each day that is requested or purchased by the commissioning agent. Thus, if a commissioner requests a shared placement with, for example, three days a week attendance at RB, RBNWL will record attendance on that basis, but in any case where a full-time placement is requested, RBNWL will record a presence or absence on each of the ten sessions in the week.

Attendance figures will be reported to commissioning agents in line with their requirements, and any concerns about a particular student will be highlighted.

### Helping students to attend regularly

RBNWL seeks to provide a supportive, nurturing environment, and all staff help students make positive informed decisions about their education and their life in general. While it is hoped that this will help students to attend regularly, the need for prompt action should they not attend is acknowledged, particularly the need to ensure that the student is 'safe'.

At the point of referral RBNWL will ensure that students and parents/carers are aware of the need to report the reason for any absence immediately.

If the reason given for absence is considered to be legitimate, no further action will be taken. Should the absence continue (legitimately) for more than two weeks, the headteacher will ensure that liaison takes place with medical or other professionals working with the student and family to find ways of enabling the student to access education. If, for example, the student is housebound because of illness, RB would consider sending work home and/or using online learning to maintain the student's access to education.

If RBNWL receives no information regarding an absence, or a student 'self certifies', then a 'first day' response is adopted and the headteacher (the headteacher may delegate that responsibility) or administrator will contact the parents/carers to:

- identify the reason for absence;
- ensure that the student is safe.

Depending upon the circumstances the action that may be taken includes:

- making an immediate home visit;
- contacting the family by phone, email or SMS;
- notifying appropriate local agencies if the child is believed to be unsafe for whatever reason.

In any case where there is prolonged unauthorised absence RBNWL will always ensure that commissioners and appropriate local authority staff (eg social worker, EWO, YOS officer) are notified, and will work with them to attempt to re-engage the student in accordance with any local agreements that have been reached.

*It is up to the commissioning agent to decide the point at which they cease to commission a place for that student.*

NB. Given the nature of our student body (ie most students will have met considerable difficulty in attending education prior to referral to Red Balloon), we will seek to provide informative detail to back up our statistical attendance returns. Given the small number of students attending, if a RBNWL has a persistent non-attender or poor attender and the commissioning agent deems the placement to be a worthwhile one and therefore continues with it, there will be a significant impact on the overall average attendance. Provided (with the agreement of the commissioner) we respond rapidly and supportively to non-attendance, liaise effectively with all appropriate local agencies and professionals, and remain in frequent contact with the student and family, the student will be safer and more likely to re-engage in the future. We believe this to be a more 'student centred' approach than to cease the placement simply to protect our attendance



statistics. It would be unreasonable for an inspecting body to criticise us for our attendance rates without considering the individual circumstances of each student.

## **Marking the attendance register**

RBNWL will ensure that the attendance register is marked accurately twice a day in accordance with the following guidelines, taken from the August 2013 Regulations.

Schools must take the attendance register at the start of the first session of each school day and once during the second session. On each occasion they must record whether every pupil is:

- present;
- attending an approved educational activity;
- absent;
- unable to attend due to exceptional circumstances.

Pupils must not be marked present if they were not in school during registration. If a pupil were to leave the school premises after registration, they would still be counted as present for statistical purposes.

## **Legislation / guidance that informs this document**

- Education Act (1996) - sections 434(1)(3)(4)&(6) and 458(4)&(5)
- Education (Pupil Registration) (England) Regulations (2006, amended Sept 2016... see 'Children Missing Education')
- Education (Pupil Registration) (England) (Amendment) Regulations (2010)
- Education (Pupil Registration) (England) (Amendment) Regulations (2011)
- Education (Pupil Registration) (England) (Amendment) Regulations (2013)
- Children Missing Education - Statutory Guidance for Local Authorities (DfE - Sept 2016)
- Keeping Children Safe in Education (Gov.UK Sept 2020)

## **Other Red Balloon policies to be read in conjunction with this one**

- Admissions

Policy document control box	
Policy title	<b>Behaviour for Learning</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• Unconditional positive regard (UPR)</li> <li>• Rights and responsibilities</li> <li>• Student voice</li> <li>• Restorative justice</li> <li>• Further key practices</li> <li>• Working with SEND students:</li> <li>• Legislation / guidance that informs this policy</li> </ul>

## Purpose

RBNWL intends to enable students to manage their own behaviour by making informed choices, as opposed to staff managing students' behaviour. We believe that the manner in which staff relate to students and the way that they construct an appropriate learning environment are the key factors that will lead to student behaviour that supports the learning of all members of the community.

## Scope

***The use of corporal punishment or any 'tool for managing behaviour' that in any way demeans, damages, threatens or humiliates a young person will never be tolerated or considered within a RBNWL. Our whole purpose is to enable students to develop a positive self identity.***

The Headteacher is responsible for the 'management of student behaviour' within RBNWL; all staff, however, must play an active role and students are encouraged to ensure that their behaviour supports their own development and contributes to a community that is supportive of all its members.

## Policy statement, provision and safeguards

**Red Balloon staff always seek to:**

- acknowledge 'good' behaviour;
- celebrate any success (academic or personal);
- enable students to display learning proudly (eg through end of term presentations);
- provide situations within which students can succeed and acknowledge that success;
- expect all members of the community to contribute positively to it;
- make the centre a place where students feel safe, enjoy learning and wish to be.

**Red Balloon seeks to support students to become:**

- determined (displaying resilience, tenacity, self control, curiosity),
- optimistic (displaying enthusiasm, confidence, ambition),
- emotionally intelligent (displaying humility, respect, sensitivity, tolerance).

and to lead students to be:

- |               |     |           |
|---------------|-----|-----------|
| • kind        | not | callous   |
| • generous    | not | greedy    |
| • forgiving   | not | vengeful  |
| • tolerant    | not | bigoted   |
| • trustworthy | not | deceitful |

**The core principles that underpin the above are:**

- unconditional positive regard;
- understanding of individual rights and responsibilities;

- placing student voice at the heart of curriculum building ('Negotiating the Curriculum');
- restorative justice.

**It is the quality of the relationships that are built across RBNWL that is the greatest factor in enabling students to develop prosocial behaviours.**

*The headteacher will ensure that all staff are appropriately trained and engage in ongoing discussion regarding good practice.*

## **Unconditional positive regard (UPR)**

Students hold an absolute right to be treated with respect and care. That right is not contingent upon their behaviour or the quality of their academic performance. Key features of providing UPR are:

- a friendly welcome each day;
- time taken to get to know the student;
- time taken to discuss those subjects that interest the individual student – staff should always strive to enter a student's 'quality world', no matter how different that is from their own;
- acceptance of each student's right to a viewpoint and to be 'listened to' (with the given that these rights are contingent upon understanding individual responsibility to maintain the rights of others);
- recognition of the contribution(s) each student makes to the community;
- acceptance of the individual;
- valuing of 'difference';
- encouragement of self worth as a person as 'me', rather than as a 'success' in particular areas;
- declared confidence in a student's ability to contribute positively to the community, to behave appropriately according to the environment they are in and to change their behaviour if they wish to, given appropriate support.

## **Rights and responsibilities**

UPR cannot operate successfully unless students understand that each member of the community has the same rights: an individual who chooses to ignore the rights of others does not lose their absolute right to UPR, but any such behaviour will always be 'picked up' – definitely by staff, and, it is to be hoped, by other students too. 'Picking up' may mean anything from a quiet word to an insistence upon a restorative justice meeting.

Each member of the RBNWL community has the right to:

- be treated with respect;
- feel safe physically and emotionally;
- learn.

All rules will be framed to ensure that individual rights are upheld. Different physical areas and sessions will require different 'ground rules' to ensure that all students are physically safe; the principles remain constant. Wherever possible, conversations with students about behaviour should refer to these principles.

## Student voice

In order to enable students to engage effectively with learning, RBNWL staff aim to generate learning experiences that interest students, are pertinent to them, within which they can achieve success, and which are accessible yet challenging. RBNWL provides access to a core and an extended curriculum. Staff strive to engage students in individualising that curriculum – how does each student learn most effectively; how can they show that they have mastered new learning?

Equally, students are central to reviews of progress and identification of their next learning targets.

Students are involved in the development of rule and routine systems within each centre, though no rule or routine that would impact negatively upon the non-negotiable core rights will be considered.

## Restorative justice

Centres do not apply sanctions or give concrete rewards (though staff always seek to provide positive feedback where possible). Our intention is to build students' intrinsic motivation to learn and to contribute positively to the community. Staff will always let students know when they have behaved in a manner that ignores the rights of another student or a member of staff. Wherever possible inappropriate or unacceptable behaviour will be responded to in a low-level fashion, usually with a calm explanation of why the behaviour is unacceptable (how it fails to acknowledge the rights of others) and a clear statement of what behaviour is required. If such low-level response fails to bring about the required outcome, it may be necessary to convene a more formal meeting between the pertinent parties and to address the issue in accordance with restorative justice principles.

In such a meeting (led by a member of staff) both the member of the community who has concerns about the behaviour of another and the person about whom the concerns are being expressed have the opportunity to describe their respective points of view calmly (behaviour may be criticised, the person may not be). Through such structured conversation resolution is usually reached.

## Further key practices

*Involvement of parents / carers* – staff will share information with parents / carers and ensure that students know that the centre and parents / carers work together for the good of the student.

*Involvement of other key professionals* – staff will always involve professionals in reviews of progress. In any case where they have significant concern that a student's behaviour may not be in accordance with RB principles, they will alert and seek the involvement of the commissioning agent or other involved professionals.

*Serious contravention (in terms of severity or duration) of the rights of a member / members of the RBNWL community* – the aim of RBNWL is to enable students who have had damaging or traumatic experience of mainstream schooling to re-engage with education, and staff, therefore, cannot allow any student to behave in a manner that jeopardises the positive development of other students. We will ensure that this is made absolutely clear to all involved at the point of referral, and that no student is admitted who does not feel able to give a commitment to the maintenance of the rights of others (see Admissions Policy). If, despite this initial understanding, after intervention and support, it is not possible to enable a student to behave in a manner that upholds the rights of others, we will either seek to

educate that young person 'away from the centre' for a period of time and then support their return, or negotiate with the commissioning agent re alternative placement.

Red Balloon believes that the supportive and nurturing aspect of its provision, allied to an effective admissions policy, makes it extremely unlikely that any form of physical intervention or 'positive handling' will ever be required from a member of staff. However we acknowledge the importance of ensuring that:

- all staff are aware of current guidance in this area;
- staff feel confident as to the course of action they will take should a situation arise in which they decide that physical intervention is the best course of action to take.

A policy summarising the most recent DfE guidance regarding 'use of reasonable force' together with RBNWL interpretation of that is also available.

In any case wherein a student is deemed to have made a malicious or false allegation against a member of staff, then consideration will be given as to whether that student can remain within the Red Balloon community (see Dealing with Allegations of Abuse against Staff Policy).

## **Working with SEND students:**

In accordance with the requirements of the Equality Act (2010) RBNWL will seek to ensure that no student suffers discrimination of any sort.

When a centre receives a referral for a student with SEND, the headteacher or SENCo will check that the centre is able to meet all identified needs.

Red Balloon behaviour practice enables staff to treat each student as an individual, hence to meet their specific needs. Where necessary, staff will include plans for improving learning behaviour within an individual learning plan and work with the student to monitor progress against that plan.

## **Legislation / guidance that informs this policy**

- Education and Inspection Act (2006)

Section 89 of the above Act requires that the headteacher of a relevant school must determine measures to be taken with a view to:

- "promoting among pupils self-discipline and proper regard for authority,
- encouraging good behaviour and respect for others on the part of pupils and, in particular, preventing all forms of bullying among pupils,
- ensuring that the standard of behaviour of pupils is acceptable,
- ensuring that pupils complete any tasks reasonably assigned to them in connection with their education, and
- otherwise regulating the conduct of pupils".
- The Education (Independent Schools Standards) (England) Regulations (2015)
- Equality Act (2010)
- Keeping Children Safe in Education (Gov.UK Sept 2020)

## **Other Red Balloon policies to be read in conjunction with this one**

- Anti-Bullying

- Student Wellbeing
- Safeguarding
- Exclusions
- Use of Reasonable Force
- Dealing with Allegations of Abuse against Staff
- Esafety
- Admissions

Both the prevention of bullying and the management of any bullying behaviour that does occur (implied within the behaviour framework described below) are discussed in more detail in the anti-bullying policy.

Policy document control box	
Policy title	<b>Bullying &amp; Harassment (Staff)</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	RBNWL NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement</li> <li>• What is harassment?</li> <li>• What is bullying?</li> <li>• What the law says</li> <li>• Informal process</li> <li>• Formal procedure</li> <li>• Appealing a Formal Decision</li> <li>• Reporting a concern</li> <li>• Protection and support for those involved</li> <li>• Confidentiality and data protection</li> <li>• Responsibilities (compliance, monitoring and review)</li> <li>• Records management</li> </ul>



## **1. Purpose**

- 1.1. RBNWL seeks to ensure that all staff members are treated and treat others with dignity and respect, free from harassment and bullying. Staff should always consider whether their words or conduct could be offensive. Even unintentional harassment or bullying is unacceptable.
- 1.2. RBNWL will take allegations of harassment or bullying seriously and address them promptly and confidentially, where possible. All staff, trustees and volunteers must comply with this policy and take appropriate measures to ensure that such inappropriate conduct does not occur. Harassment or bullying by a staff member will be treated as misconduct under our disciplinary procedure. In some cases, it may amount to gross misconduct leading to summary dismissal.

## **2. Scope**

- 2.1. This policy applies to all staff members, trustees and volunteers employed or appointed by RBNWL.

## **3. Policy statement**

- 3.1. This policy covers harassment or bullying which occurs both in and out of the workplace, such as on school visits, at events, work-related social functions or on social networking sites. It covers bullying and harassment against staff, trustees and volunteers and also by third parties such as suppliers or visitors to our School, which includes parents.
- 3.2. Where the complaint relates primarily to a matter covered by another policy, for example, grievance, pay, probation or whistleblowing, then the matter will be dealt with in accordance with the relevant policy, if more appropriate. Matters will not be dealt with under both this policy and the grievance policy.
- 3.3. This policy does not form part of any staff member's contract of employment and it may be amended at any time. Elements of this procedure, including any time limits, may be varied as appropriate in any case.

## **4. What is harassment?**

- 4.1. Harassment is any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.
- 4.2. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.
- 4.3. Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race (including, colour, nationality, ethnic or national origin), religion or belief, sex or sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories.
- 4.4. Harassment may include, for example:
  - Unwanted physical conduct or "horseplay", including touching, pinching, pushing, grabbing, brushing past someone, invading their personal space, and more serious forms of physical or sexual assault.

- Unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless), and suggestions that sexual favours may further a career or that a refusal may hinder it.
  - Continued suggestions for social activity after it has been made clear that such suggestions are unwelcome.
  - Sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet).
  - Offensive or intimidating comments or gestures, or insensitive jokes or pranks.
  - Mocking, mimicking or belittling a person's disability.
  - Racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender.
  - Outing or threatening to out someone as gay or lesbian.
  - Ignoring or shunning someone, for example, by deliberately excluding them from a conversation or a workplace social activity.
- 4.5. A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if they create an offensive environment. When deciding whether or not conduct has the effect of harassment, the perception of the other person, the circumstances of the case, and whether or not it is reasonable for the conduct to have that effect, must all be taken into account.

## **5. What is bullying?**

- 5.1. Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.
- 5.2. Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:
- Shouting at, being sarcastic towards, ridiculing or demeaning others
  - Physical or psychological threats
  - Overbearing and intimidating levels of supervision
  - Inappropriate and/or derogatory remarks about someone's performance
  - Abuse of authority or power by those in positions of seniority
  - Deliberately excluding someone from meetings or communications without good reason
- 5.3. Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to staff in the course of their employment, will not amount to bullying on their own.

## **6. What the law says**

- 6.1. The Equality Act 2010 prohibits harassment related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity,

race (which includes colour, nationality, ethnic or national origin), religion or belief, sex or sexual orientation.

- 6.2. The Protection from Harassment Act 1997 also makes it unlawful to pursue a course of conduct which you know or ought to know would be harassment, which includes causing someone alarm or distress.
- 6.3. Under the Health and Safety at Work Act 1974 staff are entitled to a safe place and system of work.
- 6.4. Individual staff members may in some cases be legally liable for harassment of colleagues or third parties and may be ordered to pay compensation by a court or employment tribunal.

## **7. Informal process**

- 7.1. If you are being bullied or harassed, you must attempt to manage the situation informally if this is possible. The objective of an informal approach is to resolve the difficulty with the minimum of conflict. Every member of the school community has personal rights and this includes being made aware that their attention or behaviour is perceived by another as bullying or harassing. It is possible that the “perpetrator” simply does not realise the effect of their behaviour on the recipient. You should discuss your complaint with the “perpetrator” as early as possible, to reduce worry for you and possibly for the other person. You should explain clearly to them that their behaviour is not welcome or makes you feel uncomfortable.
- 7.2. If you would find it too difficult or embarrassing to speak directly with the other person, then you should attempt to communicate through a third party, for example, a work colleague, headteacher/supervisor, or union representative.
- 7.3. If the behaviour continues after raising it with the perpetrator, the staff member should raise the matter with their headteacher or another appropriate senior colleague orally or in writing.
- 7.4. The headteacher/senior colleague will then arrange to meet with both parties, either individually or together, and seek to address the concerns by considering options with those involved. These options may include mediation or moving to the formal stage of the procedure.
- 7.5. If informal steps have not been successful or are not possible or appropriate due to the seriousness of the allegations, you should follow the formal procedure set out below.

## **8. Formal procedure**

- 8.1. Your written complaint should set out full details of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, the date/s and time/s at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring. You can use the Notification of Grievance Form (Appendix A of the grievance procedure) to state the grounds of your complaint and the remedy that is being sought, if helpful.
- 8.2. As a general principle, the decision about whether to progress a complaint is up to you. However, RBNWL has a duty to protect all staff,

trustees, and volunteers and may pursue the matter independently if, in all the circumstances, they consider it appropriate to do so.

- 8.3. Where the grievance procedure is invoked as a result of a complaint about bullying or harassment, a manager (usually the headteacher, unless the complaint is against them or where they have involvement in the complaint) must be designated to investigate the complaint in a timely, sensitive, impartial and confidential manner.
- 8.4. The headteacher, (the investigation officer for these purposes), will arrange a meeting with you, usually within a week of receiving your complaint, so that you can give your account of events. You have the right to be accompanied by a colleague or trade union representative of your choice, who must respect the confidentiality of the investigation. There may be further meetings with you as appropriate throughout the investigation.
- 8.5. Where your complaint is about a staff member, RBNWL may consider suspending the staff member on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. A suspension risk assessment should be completed in all cases. The investigating officer will also meet with the alleged harasser or bully who may also be accompanied by a companion to hear their account of events. They have a right to be told the full details of the allegations against them so that they can respond.
- 8.6. Where your complaint is about someone other than a staff member, such as a contractor or visitor, RBNWL will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the School and the rights of that person. Where appropriate, RBNWL will attempt to discuss the matter with the third party.
- 8.7. RBNWL will also seriously consider any request that you make for changes to your own working arrangements during the investigation.
- 8.8. It is likely to be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.
- 8.9. Any staff member who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to action under RBNWL's disciplinary procedure.
- 8.10. The main purpose of the investigation is to establish whether the act/s under investigation amounted to harassment and/or bullying. The investigation report should include:
  - The terms of reference of the report
  - The complainant's account of the incident/s and the effects
  - A response from the person identified by the complainant
  - Evidence from staff in the same work area or any other relevant areas where incidents of harassment or bullying may have occurred
  - A conclusion as to whether or not there is a case to answer in respect of the allegations made and whether the matter should be referred to a disciplinary hearing. The report should identify whether it appears that the complainant has suffered any detriment e.g. deterioration of work performance or health, lack of career development, denial of

opportunities, etc. The investigating officer may also choose to make recommendations as to how the matter may be resolved.

- 8.11. At the end of the investigation, the investigating officer will submit a report to a nominated trustee to consider the complaint. Within 10 working days, the nominated trustee will write to you to invite you to a formal meeting to discuss the complaint. The nominated trustee may be accompanied by another staff member, trustee or an HR Adviser.
- 8.12. A staff member may bring a companion to the meeting (a colleague or a trade union representative). The staff member must advise the chair of trustees who their chosen companion is, at least 24h before the meeting.
- 8.13. At the meeting, the companion may make representations and ask questions, but should not answer questions on the staff member's behalf.
- 8.14. If a staff member's chosen companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, the staff member will normally be required to find an alternative companion.
- 8.15. The investigating officer will attend to present the findings of their investigation and you will be provided with a copy of the report at least five working days before the meeting.
- 8.16. At the meeting, you will be given a reasonable opportunity to raise points about any information collected in the investigation.
- 8.17. Following the meeting, the nominated trustee will consider the investigation report and all information presented in the meeting and decide whether:
  - They consider that harassment or bullying has occurred, in which case the matter may be dealt with as a case of possible misconduct or gross misconduct under our disciplinary procedure.
  - They consider that harassment or bullying has occurred but the evidence shows that it was inadvertent or unintentional, in which case the "perpetrator" shall be offered support and training to allow them the opportunity to modify their behaviour.
  - Less formal action is appropriate but some form of mediation or counselling is required for one or both parties.
  - Any short-term or long-term relocation, change in duties or reporting structure are required. Any changes should not be at the detriment to any parties concerned.
- 8.18. You will receive a letter confirming the nominated trustee's decision in writing within 10 working days of the meeting. A copy of the letter and the investigation report will also be given to the alleged harasser.
- 8.19. Following a formal bullying or harassment complaint, either party may be concerned about working with the other again. Due regard to such views should be taken into account when offering counselling or mediation. A transfer of one or both parties to another section or department may be appropriate in some cases and where feasible.
- 8.20. If the staff member raising the grievance is not satisfied with the outcome then the staff member may appeal in accordance with the paragraph below.

## **9. Appealing a Formal Decision**

- 9.1. If the grievance has not been resolved to the staff member's satisfaction they may appeal in writing, to the Chair of Trustees, setting out the grounds of their appeal, within 10 working days of receiving the written confirmation of the original decision. The staff member must detail how they consider the grievance procedure has not been correctly applied, and/or how the outcome was not reasonable or proportionate.
- 9.2. The appeal will normally be heard as soon as possible after receipt of the appeal letter, by an Appeal Committee of one or more Trustees, convened by the Chair of Trustees.
- 9.3. The Appeal Committee may have an HR adviser attend the meeting who may also be involved in its private deliberations. The HR adviser, who should not have had any previous involvement in dealing with the grievance, shall not have a vote in the decision of the Appeal Committee.
- 9.4. The Appeal Committee will confirm its final decision in writing, as soon as reasonably possible after the appeal meeting. This is the end of the procedure and there is no further right of appeal.

## **10. Reporting a concern**

- 10.1. All staff, trustees and volunteers must comply with this policy and take appropriate measures to ensure that such inappropriate conduct does not occur. If a person witnesses bullying or harassment, they should raise the concern with their headteacher or another appropriate senior colleague orally or in writing.
- 10.2. RBNWL will support the witness in raising genuine concerns, informally or formally.

## **11. Protection and support for those involved**

- 11.1. Staff who make complaints or who participate in good faith in any investigation conducted under this policy must not suffer any form of retaliation or victimisation as a result.
- 11.2. If you believe you have suffered any such treatment you should inform your headteacher or another senior manager. If the matter is not remedied you should raise it formally using this procedure.
- 11.3. Anyone found to have retaliated against or victimised someone for making a complaint or assisting in good faith with an investigation under this procedure, will be subject to disciplinary action under our disciplinary procedure.

## **12. Confidentiality and data protection**

- 12.1. Confidentiality is an important part of the procedures provided under this policy. Everyone involved in the operation of the policy, whether making a complaint or involved in any investigation, is responsible for observing the high level of confidentiality that is required. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis.

- 12.2. Information about a complaint by or about a staff member may be placed on the staff member's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.
- 12.3. Breach of confidentiality may give rise to disciplinary action under our disciplinary procedure.

### **13. Responsibilities (compliance, monitoring and review)**

- 13.1. The Board of Trustees has overall responsibility for the effective operation of this policy but has delegated day-to-day responsibility for overseeing its implementation to the headteacher and Senior Leadership Team.
- 13.2. All managers have a specific responsibility to operate within the boundaries of this policy, ensure that all staff understand the standards of behaviour expected of them and to take action when behaviour falls below its requirements.
- 13.3. Staff should disclose any instances of harassment or bullying of which they become aware to the headteacher.
- 13.4. Questions about this policy and requests for training or information on dealing with bullying or harassment should be directed to the headteacher.

### **14. Records management**

- 14.1. The Headteacher is responsible for the safekeeping of this policy. This policy will be available for all staff on the staff drive.
- 14.2. Following a formal investigation under this policy, the headteacher and investigator involved should consider whether this policy has been effective in addressing the issues and make any necessary improvements
- 14.3. The Headteacher has responsibility for ensuring that any person who may be involved with investigations or administrative tasks carried out under this policy receive regular and appropriate training to assist them with these duties.

### **15. Related legislation and documents**

External Documents

- 15.1 The Equality Act 2010
- 15.2 The Protection from Harassment Act 1997
- 15.3 Health and Safety at Work Act 1974

### **Other RBNWL policies to be read in conjunction with this one**

- 16.1 Staff Code of Conduct
- 16.2 Grievance policy

Policy document control box	
Policy title	<b>Careers</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Careers programme</li> <li>• Responsibilities</li> <li>• Monitoring and evaluation</li> <li>• Support for pupils with Special Educational Needs or Disabilities</li> </ul>



## **Purpose**

RBNWL provides education and support to ensure that every learner reaches their full potential. We work with learners who are particularly vulnerable to becoming NEET. RBNWL recognises that it has a statutory duty to secure careers guidance for all Year 8 to 11 students as outlined in (The Education Act 2011 / Career guidance and access for education and training providers January 2018). Our aim is that all students acquire the skills, knowledge and attitudes to manage their learning and career progression. We will support students in making informed decisions by providing access to differentiated, impartial and independent information and guidance about the range of post 16 pathways available to them. RBNWL is committed to ensuring that the careers advice students receives:

- Includes information on a range of education or training options, including apprenticeship and other vocational pathways
- Is impartial
- Is in the best interests of the students
- Meets the needs of the students

We are committed to ensure that RBNWL continues to meet the requirements outlined in the Gatsby Benchmarks.

## **Scope**

This policy applies to all RBNWL students between years 8 and 11.

## **Careers programme**

We are committed to providing a planned Careers programme. This is differentiated to suit the needs of each individual student. Students will leave RBNWL with the skills and knowledge required to support their entry to further education, training or employment. RBNWL also works with the Local Authority and a wide range of voluntary / statutory agencies to support our students whose circumstances have made them vulnerable or hard to reach, including those with special educational needs and those at risk of being NEET post-16.

RBNWL works closely with ELSA (Education, Learning, Skills, and Achievement) to deliver our Careers Programme. The aim of our Careers Programme is to raise the aspirations of our learners and to support them in making realistic decisions for post 16.

## **Responsibilities**

All staff have the responsibility to contribute to the overall careers programme within the school. The Transitions Lead has the overall responsibility for overseeing the Careers Education Provision. Teaching Staff are also responsible for the delivery of careers education by embedding Careers into their subject area and contributing to the effectiveness of the overall programme.

## **Monitoring and evaluation**

The Transitions Lead and Headteacher meet on a regular basis to develop, monitor and evaluate careers guidance across RBNWL.

## **Support for pupils with Special Educational Needs or Disabilities**

RBNWL has high aspirations for all students with special educational needs and disabilities (SEND) and will support them in preparing for their next phase of education or training. Further information about outcomes for students with SEND can be found in the SEND policy.

Policy document control box	
Policy title	<b>Complaints</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
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Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement and provision</li> <li>• Procedures</li> <li>• Aims and objectives</li> <li>• The complaints process</li> <li>• Stage 1 - informal...</li> <li>• Stage 2 - formal</li> <li>• Stage 3 - panel hearing</li> <li>• Frivolous, malicious, and/or vexatious complaints</li> <li>• Monitoring and review</li> <li>• Appendix A: Template for making a Stage 2 complaint</li> <li>• Appendix B: Template for making a Stage 3 complaint</li> </ul>

## 1. Purpose

- 1.1. RBNWL seeks to provide a high quality learning experience for all its students. We aim to practise professionally and effectively at all times but acknowledge that, on occasion, we may fail to meet our aim. Under such circumstances we want anyone who feels that the organisation or a specific member of staff has failed to perform their job in a professional manner to understand how to raise their concern, to be able to raise it without fear of negative response, and to understand how the concern will be dealt with.

## 2. Scope

Since 1 September 2003 governing bodies of all schools in England have been required to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires that the procedure be publicised. This policy is written to ensure that parents/carers of students at RBNWL, or other persons who wish to raise a concern regarding provision or practice, understand how to do that.

There is a separate whistleblowing policy that staff should read and refer to should they wish to raise concern(s) re the practice of (an)other member(s) of staff.

*RBNWL has a nominated trustee who is responsible for monitoring the way in which complaints are responded to.*

RBNWL understands the requirement to ensure that a complaints procedure is drawn up and effectively implemented. In order to comply with statutory requirements, the procedures:

- are made here in writing;
- are available to parents / carers of students on the Red Balloon website or, on request, in writing;
- set out clear time scales for the management of a complaint;
- allow for a complaint to be made and considered initially on an informal basis.

RBNWL will ensure that a written record is kept of all complaints that proceed to the formal stage together with any action taken as a result of the complaints regardless of whether they are upheld. Further we will ensure that correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection under section 108 requests access to them. Any findings reached and / or recommendations made will be available for inspection by the proprietor, the chair of trustees and the Head of Centre.

*NB Wherever the term parents is used in the policy, that means any person with parental responsibility for the young person.*

### 3. Policy statement and provision

RBNWL seeks to:

- encourage resolution of problems by informal means wherever possible;
- make procedures easily accessible;
- be impartial;
- be non-adversarial;
- allow swift handling with established time-limits for action, keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's senior management team so that services may be improved if appropriate.

In investigating complaints RBNWL will:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant and re-contact them should clarification or further information be required;
- clarify what the complainant feels would put things right;
- interview those involved in the matter (including those complained of), allowing them to be accompanied if they wish;
- conduct all interviews with an open mind and be prepared to persist in the questioning;
- keep notes of interviews.

In seeking to resolve complaints, it might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur, together with...
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies and / or practice in light of the complaint.

## Procedures

### *Aims and objectives*

RBNWL seeks to be fair, open and honest when dealing with any complaint. Careful consideration is given to all complaints and we aim to deal with them as swiftly as possible.

We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. Further we aim to provide sufficient opportunity for any complaint to be fully discussed and subsequently resolved.

#### *The complaints process*

The process has three distinct sections:

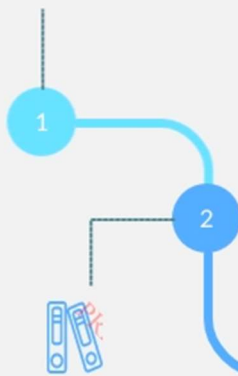
- informal (stage 1),
- formal (stage 2),
- panel hearing (stage 3).

# RBNWL Complaints Procedure



## Stage 1 complaint

Informal discussion with the headteacher who will attempt to resolve the complaint to the best of their ability.



## Stage 2 Complaint

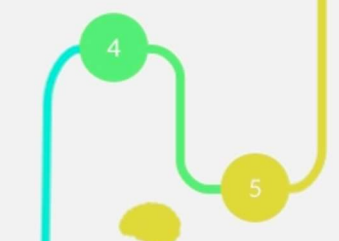
Unresolved complaints put in writing to the Headteacher or trustee nominated for complaints.

Complaint acknowledged within three working days.



## Stage 2 Resolution

Investigator arranges meeting to discuss findings with complainant within five working days of completion of investigation.



## Stage 3 Complaint

Unresolved Stage 2 Complaints put in writing to the Chair of trustees.

Complaint acknowledged within three working days.



## Stage 2 Investigation

Investigation takes place over a maximum of thirty working days.



## Stage 3 Investigation

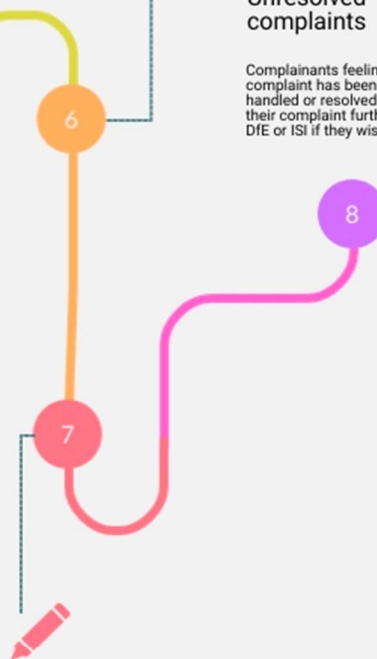
Chair of Trustees reviews evidence from investigation to date, and carries out further investigation if this is deemed necessary.

This takes place over a maximum period of ten days.



## Unresolved complaints

Complainants feeling their complaint has been improperly handled or resolved can take their complaint further to the DfE or ISI if they wish.



## Stage 3 Resolution

Panel hearing takes place within ten days of receipt of stage 3 complaint.

Panel takes any necessary action and provides complainant with written decision within ten days of the panel hearing date.

RBNWL complaints procedure complete.

### *Stage 1 - informal...*

If, for example, a parent is concerned about anything to do with the education that we are providing at our centre they should, in the first instance, either by telephone or through an arranged meeting, discuss the matter with the Headteacher or with a member of staff nominated by the Headteacher. Most matters of concern can be dealt with in this way. All staff work very hard to ensure that each young person is well provided for at RBNWL, is happy at RBNWL, and is making good progress. They always want to know if there is a problem so that they can take action before the problem seriously affects the young person's progress. All Red Balloon staff involved will listen carefully to any concern expressed, treat the complainant respectfully and make every attempt to ensure that concerns are allayed and / or the matter resolved.

The Head of Centre or trustee will respond within three working days when a concern is raised - s/he will assure the complainant that the complaint has been received and will be responded to, and arrange either a meeting that is mutually convenient or a time for a further telephone conversation). This conversation or meeting will be arranged within 5 working days of the concern being raised, unless there are exceptional circumstances.

It may be necessary to hold further meetings to ensure that the complaint has been appropriately responded to, and any improvements in practice identified as a result of the complaint, implemented.

Assuming that the parent is content that the response has been sufficient and appropriate, this will still be deemed to be an informal response.

### *Stage 2 - formal*

#### *- what to do if the matter is not resolved through informal discussion.*

In any situation where a parent or other complainant feels that the complaint they have made has not been sufficiently well dealt with, or that their concern is of such a serious nature that an informal response is insufficient, then they should request that the process move to a formal investigation. In order to do this they should put their concerns into a written form (email is acceptable), submit that to the Headteacher (or nominated trustee in the case of complaints concerning the Headteacher) and make an appointment to discuss it formally with the Headteacher (or nominated trustee). Appendix A provides a template for Stage 2 complaints, although other written forms of complaint are also acceptable.

The Headteacher (or nominated trustee) must then acknowledge receipt of the complaint within three working days of receipt. The Headteacher will supply the complainant with details of the complaints procedure and will then carry out an investigation regarding the complaint. This may involve interviewing staff or students, examining internet records, checking students' work or any other activity pertinent to the complaint.

The Headteacher must complete this process within thirty working days of receipt of the formal complaint - unless the nature of the complaint requires investigations of exceptional length and detail. S/he must make coherent records of their investigation and share these with the complainant at the conclusion of the investigation.



The Headteacher will then share details of their findings in the meeting with the complainant, which should take place within 5 working days of the completion of the investigation. The Headteacher will explain whether they consider the complaint to be wholly or partially legitimate or unsubstantiated and explain, if appropriate, how either practice or policy will be amended to ensure best practice in the future.

*If the complaint concerns the practice of the Headteacher*, then the written (again email is acceptable) details should be submitted to the nominated trustee for complaints (contact details available on the website) who is charged with managing such complaints at the formal stage. S/he will then contact the complainant and investigate the complaint in the same manner as that described above when the Headteacher investigates a complaint. Again the investigation process should be completed within thirty working days and the nominated trustee will meet with the complainant to explain the outcomes of the investigation.

### *Stage 3 - panel hearing*

If, following the meeting with the 'investigator', the complainant feels that the complaint has either been not properly investigated or that the response to the complaint is unacceptable, then s/he should submit a further complaint to the chair of trustees requesting further investigation. Appendix B of this policy provides a template for this type of complaint. This will lead to a panel hearing.

This complaint must be made in writing (as stated previously email is acceptable), stating the nature of the complaint, how the centre has handled it thus far, and whether the complaint at this point concerns:

- a perceived failure to investigate the initial complaint properly;
- a belief that the findings were correct but have not been appropriately responded to;
- a wish to contest the findings.

All records from this formal element of the process must be logged and filed and be available to the panel when a hearing is required.

The Chair of Trustees must acknowledge receipt of the stage 3 complaint within three working days of receipt. The Chair of Trustees will supply the complainant with details of the stage 3 complaints procedure and will then carry out further investigation regarding the complaint. They will arrange a panel meeting to consider the complaint, to take place within 10 working days of receipt of the stage 3 complaint. They will invite the person making it to attend the meeting, so that they can explain the complaint in more detail. The chair of trustees will give the complainant at least five working days notice of the meeting and explain to them that they may be accompanied by a person of their choosing, who is unconnected with the complaint or investigation, if they so wish.

The panel will consist of a minimum of three people who were not directly involved in the issues covered by the complaint. One of those panel members should be 'independent of the management and the running of the school'. DfE advice is that persons suitable for this role are those, "who have held a position of responsibility and are used to scrutinising evidence and putting forward balanced arguments - examples of persons likely to be suitable

are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the police force”.

After hearing all the evidence, the chair of trustees will consider their decision and inform the complainant about it in writing or in a different format as requested. The findings and recommendations will be provided to the complainant and, where relevant, the person complained about. This will be done as soon as possible, but, at the latest, within ten working days from the panel hearing. The trustees will do all they can at this stage to resolve the complaint to the complainant’s satisfaction, and will ensure that any action identified as required is undertaken.

At this stage the process is complete from a centre viewpoint. Complainants do, however, have the right to contact either the DfE (Secretary of State) or the Independent Schools Inspection Service (as the inspecting agency) if they still believe that the complaint has not been satisfactorily dealt with.

## **Frivolous, malicious, and/or vexatious complaints**

Frivolous, malicious and/or vexatious complaints are defined as:

- complaints which are obsessive, harassing, or repetitive
- insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes
- insistence on pursuing what may be meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress which lack any serious purpose or value

RBNWL has a responsibility to protect its staff against unacceptable behaviour and provide a working environment that is safe, respectful and tolerant. Consequently it is expected that students, their representatives and staff members should act reasonably and fairly towards each other and treat the process with respect. Behaviour that is unreasonable, aggressive or abusive, verbal or written, will not be tolerated and may result in your access to the complaints procedure or to staff connected with your complaint being limited or withdrawn.

The decision to limit or withdraw access is not taken lightly. In the event that this decision is taken we will provide this in writing, including the reason(s) why this decision has been taken.

In the event that your access to staff or to the complaints procedure is limited or withdrawn you may appeal the decision by submitting your grounds in writing to the Chair of Trustees who will review the appeal and respond to you within 5 working days. The Chair of Trustees has the final decision.

## **Monitoring and review**

The trustees monitor the complaints procedure in order to ensure that all complaints are handled properly. The Headteacher ensures that all complaints received by the centre are

logged and that records are kept detailing how they were resolved. The trustee responsible for complaints examines this log annually.

From 2015 a written record of complaints is limited to those made under the formal part of the procedure. In each case the centre will record whether the complaint has been resolved and at what stage that happened. RBNWL will also keep a separate record of any informal complaints to enable any patterns of concern to be monitored.

Centres will also record any action taken as a result of these complaints (regardless of whether they are upheld), and ensure that correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them.

Trustees will take into account any local or national decisions that affect the complaints process, and will ensure any necessary modifications are made to this policy.

The number of formal complaints registered under the formal procedure during the preceding year will be displayed on each centre's website.

## Appendix A: Template for making a Stage 2 complaint

Please complete and return to the headteacher, who will acknowledge receipt and explain what action will be taken.

(Please try to provide as much detail as possible, if using a word processor, the boxes expand)

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

E-mail address:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint?

(eg: who did you speak to and what was the response?)

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

**Official use**

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

## Appendix B: Template for making a Stage 3 complaint

Please complete and return to the chair of trustees, who will acknowledge receipt and explain what action will be taken.

(Please try to provide as much detail as possible, if using a word processor, the boxes expand)

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

E-mail address:

Which of the following best describes your reason for requesting that trustees investigate your complaint?

- *You think we have failed to properly investigate the complaint you made.*
- *You think that the complaint was properly investigated, that the conclusions reached were correct but that we have not taken sufficient action to remedy the situation*
- *You think that the conclusions that were reached in response to your written complaint were incorrect*

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint?

(eg: who did you speak to and what was the response?)

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

**Official use**

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Policy document control box	
Policy title	<b>Curriculum</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
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Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• Curriculum content</li> <li>• The seven required fields of knowledge (for independent schools)</li> <li>• Numeracy and Literacy</li> <li>• Spoken language</li> <li>• Reading and writing</li> <li>• Numeracy and mathematics</li> <li>• Individual timetable design</li> <li>• At KS3</li> <li>• At KS4</li> <li>• Careers guidance</li> <li>• The wellbeing curriculum</li> <li>• Meeting the needs of SEN students</li> <li>• What students learn from staff</li> <li>• Core Curriculum entitlement</li> <li>• Legislation / guidance that informs this document</li> <li>• Other Red Balloon policies that should be read in conjunction with this one</li> </ul>



## Purpose

Headteachers and trustees must ensure that a staff group is appointed that is able to 'deliver' the policy described here. It is the responsibility of every member of staff to enable students to access appropriate learning opportunities within their subject(s) area(s).

## Scope

RBNWL provides for approximately 20 students within the centre, and up to 20 students accessing off-site provision. The reason for referral to a centre is that the young person has reached a crisis point in accessing education and requires alternative provision for a period of time. Thus RBNWL seeks to:

- provide access to a broad and balanced curriculum that enables students to re-engage with education and catch up on missed learning;
- enable students to develop a positive view of themselves as learners and members of society through a wellbeing curriculum;
- place the student voice at the heart of a bespoke learning provision – students are involved in negotiating their learning programme, evaluating their progress and planning future learning in light of that evaluation.

## Policy statement, provision and safeguards

- *worth* - all students should be treated as of equal value whatever their age, gender, gender reassignment, sexual orientation, pregnancy and maternity, race, ability, religion or belief, background or other characteristic.
- *equality* - all students should have equal access to resources and opportunities;
- *individuality* – students have a right to learn in the way that best suits them and to contribute to the design of a curriculum that prepares them for the next stage of their education;
- *FBVs* – RBNWL will work to always actively promote fundamental British values (respect for the law, democracy, liberty, tolerance);
- *the rights of students to:*
  - *access learning that is pertinent to them and acknowledges their learning history* – RBNWL builds on the previous positive learning experiences of students to negotiate new areas of learning;
  - *grow emotionally and intellectually* – what students learn should contribute to their emotional, physical, intellectual, and social growth, enabling them to develop and test their personal values and attitudes;
  - *make informed decisions about their lifestyle choices* – students should be enabled to make positive decisions regarding their physical, emotional and sexual health.

Red Balloon staff have to understand and work with the paradox that learning is extremely unlikely to take place until a young person feels emotionally ready and resilient enough to learn, yet successful learning will be a key factor in enabling them to develop maturity and resilience.

Centres will work to support students to:

- be healthy, and make informed decisions to maintain personal health;
- stay safe, and respect the right of others to be safe;
- enjoy and achieve;
- make a positive contribution across their community;
- achieve independence and economic well being.

## Curriculum content

Our core intentions through curriculum delivery are to:

- offer bespoke provision to each student;
- ensure that students' emotional needs are met so that they are 'ready to learn';
- prepare a student for successful transition (to next placement);
- (where a student's aim is to return to mainstream) ensure that s/he studies the relevant curriculum so that s/he is able to learn alongside her/his mainstream peers upon return;
- (where a student is to complete KS4 courses) ensure that an appropriate range of study and qualification is available so that s/he will have the skills, knowledge and qualifications required to progress into her/his desired KS5 placement.

The curriculum will:

- include the core subjects of mathematics, English, and science, unless there are compelling reasons not to do so for a particular student;
- ensure that all students develop skills in computing;
- utilize technology effectively to support learning in all areas of the curriculum;
- include a comprehensive programme of PSHEE (as a key part of the 'wellbeing' programme);
- offer access to further subjects of a student's interest, wherever possible;
- include broader elements of spiritual, moral, cultural, ethical and social development – this will include active promotion of the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs;
- provide access to aesthetic and practical experiences;
- provide opportunities to engage in planned physical or other activities for personal and social development as well as for their intrinsic value;
- provide appropriate career planning and guidance;
- provide students with a broad general knowledge of public institutions and services in England;
- encompass opportunities for independent work according to students' age, ability and aptitude.

## The seven required fields of knowledge (for independent schools)

Subject area	General description and requirements
Maths	Make calculations, understand and appreciate relationships and patterns in number and space.
Linguistics	Develop communication skills and increase command of language through listening, speaking, reading and writing.
Scientific	Increase knowledge and understanding of living things, materials and physical processes.
Technological	Use of ICT, working with tools, equipment and materials to produce good quality products.

Human and social	People and how they live, how human action now and in the past has influenced events and conditions.
Physical	Develop physical control and coordination; acquire knowledge of basic principles of fitness and health.
Aesthetic and creative	Develop students' capacity to respond emotionally and intellectually to sensory experience and to appreciate beauty and fitness for purpose – there are aesthetic elements to all subjects, but some, such as art, music, dance, drama and literature offer greatest opportunity.

RBNWL is committed to ensuring that high standards of numeracy and literacy are developed throughout the curriculum and that all members of staff understand their responsibilities in these areas.

## Numeracy and Literacy

All teachers are expected to develop students' skills in the core areas of numeracy and literacy. Confidence in numeracy and other mathematical skills is a precondition of success across the curriculum.

RBNWL teachers will seek to develop the following areas as described within the revised curriculum.

### *Spoken language*

Students will be encouraged to speak clearly and convey ideas confidently using 'Standard English'. They will learn to justify ideas with reasons; ask questions to check understanding; develop vocabulary and build knowledge; negotiate; evaluate and build on the ideas of others; and select the appropriate register for effective communication. They will be taught to give well-structured descriptions and explanations and develop their understanding through speculation, hypothesis and the exploration of ideas. This will enable them to clarify their thinking as well as to organise their ideas for writing.

### *Reading and writing*

Teachers will develop students' reading and writing in all subjects to support their acquisition of knowledge. Students will be encouraged to read fluently, understand extended prose, both fiction and non-fiction, and be encouraged to read for pleasure. We will encourage students to visit and use public libraries. We will support students to develop the stamina and skills to write at length, with accurate spelling and punctuation, and correct use of grammar. All teachers will seek to enable students to write in varied and appropriate styles, such as narratives, explanations, descriptions, comparisons, summaries and evaluations.

### *Numeracy and mathematics*

Teachers will seek to develop students' numeracy in all subjects so that they understand and appreciate the importance of mathematics. Students will be taught to apply arithmetic to problems, understand and use measures, estimate when using calculators and other technologies to produce results, and then interpret them appropriately. Students should apply their geometric and algebraic understanding, and relate their understanding of probability to the notions of risk and uncertainty. Teachers will also seek to enable students to understand the cyclical process of collecting, presenting and analysing data. Students will be taught to apply their mathematics to both routine and non-routine problems, including breaking down more complex problems into a series of simpler steps.

*NB Given the learning preferences, and, on occasion, the 'learning blocks' (eg "I hate maths, I can't do it and I won't do it!") of some students, their core subject provision may be offered in the areas in which they have shown particular interest, rather than being presented as 'stand alone' skills and knowledge.*

## **Individual timetable design**

In designing a programme that meets a student's needs, Red Balloon Centres aim to:

- gather as much information as possible at the point of referral, and during the student's induction period, regarding attainment levels and preferred styles of learning (ie carry out a thorough baseline assessment);
- generate both long and short term outcomes - identifying the skills, knowledge and qualifications (if necessary) required for the student to successfully achieve the desired outcomes;
- identify a work programme that is likely to enable students to achieve those outcomes;
- consistently monitor, review and, if required, modify the programme;
- engage 'student voice' centrally within the whole process.

### *At KS3*

Students will have a timetable that offers access to:

- maths,
- English,
- science,
- computing,
- humanities,
- creative arts,
- physical activity.

### *At KS4*

Centres work to provide a range of suitable qualifications.

Given that there is no selection in terms of ability or attainment of students, it is essential that we provide relevant and accessible but challenging qualifications across the ability and attainment range.

RBNWL aims to offer GCSE and other appropriate qualifications in a broad range of subjects, including:

- maths,
- English,
- science (these can be individual subjects – physics, chemistry, biology, double awards or general science),
- computing,
- humanities,
- modern foreign languages,
- music,
- art,
- media,
- business and economics,
- food technology.,
- design technology,
- child care.

*NB The range offered will vary from year to year, depending on student interests.*

RBNWL seeks to accommodate any other desired subject option either through online learning or by accessing an appropriately qualified teacher locally (presuming that funding allows).

RBNWL considers alternative accreditation in core subjects in cases wherein students are deemed unlikely to achieve any grade at GCSE.

This range meets student needs in that it enables students to access examinations that are realistic in terms of their attainment levels (many students have missed considerable amounts of education). It also meets the need in that it provides students with the possibility of accessing their desired 'next step', be that further education, employment or training.

Given the bespoke nature of each student's learning programme, it is sometimes possible for them to complete GCSE courses within a year (sometimes less), something that is of great benefit to students referred late in year 10, or at the beginning of year 11.

NB. On occasion RBNWL may admit an 'over-age' student. This may be because s/he has missed a significant part of their secondary education, or simply that the commissioning agent believes that RB provision is the best matched to the student's needs (that student will inevitably be studying at KS4). In such cases the individualised nature of the provision will enable the relevant centre to respond to identified needs. In addition to the curriculum diet (which will include the opportunity to cover missed learning at KS3 or 4), an 'over-age' student will have access to:

- preparation for employment – developing the necessary skills and confidence;
- familiarisation with FE provision – visits to geographically accessible colleges, and preparation for admission if appropriate;
- tutor support specifically targeted at identifying the skills and knowledge required for the student to take the next step in their learning journey.

## **Careers guidance**

RBNWL has career guidance, a work placement policy and a transition policy posted on the website detailing provision that will be made.

Careers guidance will be made available to all students aged 13 and over. For those planning to return to mainstream education appropriate support will be provided.

## **The wellbeing curriculum**

Whilst centres seek to offer the best possible learning opportunities in the range of academic subjects described, the development of self-efficacy, self-confidence and self-esteem are key elements of the Red Balloon experience. Students are referred because they have self-excluded from mainstream provision and frequently have significant anxiety attached to school, learning and developing relationships with peers and adults. Thus centres aim to provide a nurturing, supportive environment that enables each student to re-develop a positive view of themselves as a learner through:

- belonging to the Red Balloon community;
- exploring their anxieties and seeking ways to enable them to manage the emotions that lead to those anxieties;
- contributing to the community (a community should be both supportive and demanding);
- developing positive relationships with staff and students;
- experiencing success as a learner;
- engaging with a comprehensive PSHEE curriculum.

*See the 'Student Wellbeing Policy' (available on the website) for greater detail about this element of the curriculum.*

## **Meeting the needs of SEN students**

Bespoke learning programmes are provided for all Red Balloon students. Once the individual needs of a referred student with an EHC plan have been identified, their learning programme is developed to match those needs. Each headteacher or SENCo will:

- ensure the centre is able to meet the needs specified in the EHC plan;
- commission additional support if required to meet those needs;
- meet with parents and the student to ensure that they feel that the needs will be appropriately met;
- identify desired outcomes;
- ensure all staff are aware of the identified needs and projected outcomes;
- monitor progress against set outcomes;
- ensure that all reviews are held promptly.

## **What students learn from staff**

It is a core Red Balloon tenet that 'modelling' on the part of adults (ie setting an example of the ways to behave) is a key element in all student learning. It is therefore essential that all staff provide positive role models for young people at all times. This means:

- displaying a pride in themselves and their appearance;
- always being punctual and well-prepared;
- having a sound mastery of subject areas and conveying a genuine appetite for learning;
- managing their own emotions;
- wanting to listen to those things that interest 'others', rather than focusing solely upon personal interest areas;
- modelling positive conflict resolution.

*(see staff code of conduct for further detail)*

## **Core Curriculum entitlement**

All students will have access to a minimum of three hours per week in each core subject: maths, English and science (although, as stated above, this may not always appear on the student's timetable as such). In cases where students either cannot or will not engage in group learning (or are disruptive of the learning of others within a group), and so need one-to-one lessons, their access may be reduced to accord with the available resources and staffing levels. On occasion (according to identified need) students will engage in activities intended to enable them to develop prosocial skills and the self efficacy to access academic learning opportunities. Centre staff will always be clear as to the dual purpose of such activities (ie enjoyment of the activity itself and development of intra and interpersonal skills).

All centres will provide students with access to learning about computing and the use of technology.

Red Balloon's business plan ensures that all students and staff have access to good quality technology to support the full range of learning.

Beyond this core, RBNWL will ensure that the provision offered to students reflects the requirements of this policy.

All staff are required to have a framework for monitoring student progress in their subject area(s) and to report against student progress using that framework.

Through that assessment framework centres hope to be able to illustrate that students have made good progress according to their ability. Where progress is not 'good', we will always seek to modify practice to enable students to make such progress.

### **Legislation / guidance that informs this document**

- Schedule to the Education (Independent School Standards) Regulations 2014

### **Other Red Balloon policies that should be read in conjunction with this one**

- Student Wellbeing
- Behaviour for Learning
- PSHEE

Policy document control box	
Policy title	<b>DBS</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
Approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement</li> <li>• Posts which require a criminal records and barred list check</li> <li>• Recruitment</li> <li>• Procedure for applying for a DBS check</li> <li>• Dealing with positive criminal records disclosures</li> <li>• Handling and storage</li> <li>• Existing staff and rechecks</li> <li>• Overseas applications and applicants who have lived abroad</li> <li>• Other workers</li> <li>• The Single Central Register - legal requirements</li> <li>• Records management</li> <li>• Related legislation and documents</li> </ul>



## **1. Purpose**

- 1.1. The purpose of this policy and procedure is to ensure that RBNWL complies fully with its duties and powers under the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012, in using the DBS process to make safer recruitment decisions. It does this by identifying those who may be unsuitable for certain work – particularly work involving vulnerable groups, including children.

## **2. Scope**

- 2.1. This policy and procedure applies to the recruitment and engagement of staff, agency workers and volunteers across RBNWL. It should be followed when recruiting, both internally and externally, to all posts which have been identified as providing access to children (persons under the age of 18) or to other defined posts of trust, within RBNWL

## **3. Policy statement**

- 3.1. This policy sets out RBNWL's approach to using Disclosures & Barring Service (DBS) Checks and implications arising from their use for employees and workers. It relates to checks carried out upon recruitment and during the lifetime of their employment or work placement.

## **4. Posts which require a criminal records and barred list check**

- 4.1. RBNWL will ensure that it has relevant and up-to-date DBS checks and barred list checks if applicable, for all staff undertaking regulated activity.
- 4.2. All RBNWL staff are required to have at least a current standard DBS in place.
- 4.3. Whether or not an enhanced DBS check and a barred list check is required, it is essential that thorough employment checks and safeguards are followed for all recruitment. RBNWL will remain vigilant at all times, ensuring crucial ongoing day-to-day management is effective, in order that unusual or concerning behaviour is picked up at the earliest opportunity.

## **5. Recruitment**

- 5.1. All recruitment, both internal and external, will be in line with RBNWL's Recruitment and Selection Policy and Procedure, which follows Safer Recruitment guidelines.
- 5.2. Prior to advertising, the headteacher should identify the level of DBS check required for the post. The job advertisement and selection criteria will highlight the checks as an essential requirement of the job role and will include a clear statement about RBNWL's commitment to safeguarding children and vulnerable adults.
- 5.3. All external applicants for any post are required to complete an application form. It is RBNWL's policy to not interview or appoint anyone who has not first completed a RBNWL application form. Internal applicants for posts will follow a separate process as defined for each vacancy. This could include expressions of interest and shortened application forms.
- 5.4. Applicants will also be required to provide details of spent convictions, cautions, reprimands or final warnings that are not 'protected'. Any gaps in employment histories will be explored prior to and at the interview, by the headteacher. At least two referees should be provided and contacted prior to any appointment.
- 5.5. Shortlisted candidates might be asked to bring original identity documents, including those required for a DBS check, to their interview. All paperwork and qualifications will be checked prior to any offers of jobs being made.

- 5.6. The headteacher will reiterate the need for a criminal records check (and barred list check if relevant) to each candidate at the interview, and may clarify any details regarding the information provided by a candidate on their application form at this stage. However, any conviction information disclosed must be treated confidentially within the interview process and no decisions will be taken at this stage.
- 5.7. The headteacher will work with the centre business manager to ensure the required DBS check is undertaken. No staff can start in any role until the DBS check is received. If a DBS comes back with disclosures on them, then a risk assessment must be completed detailing each and every disclosure and be signed off by the headteacher before proceeding.

## **6. Procedure for applying for a DBS check**

- 6.1. Once a conditional offer is made, the recruiting manager should check whether the applicant is registered with the DBS Update Service.
- 6.2. For new applicants who already have a DBS check and who have registered with the online update service, the recruiting manager will accept this disclosure, and carry out an online status check to ensure that their disclosure is still valid. <https://www.gov.uk/government/publications/dbs-update-service-employer-guide>.
- 6.3. In addition, the applicant will be required to bring in their original certificate for the recruiting manager to see. If the online status check reveals a change in the disclosure status, then a new check will be required and a risk assessment completed, as detailed above.
- 6.4. For candidates offered a post but who do not hold a current DBS (less than 3 years old), or are not on update service, the centre business manager will advise the preferred candidate on the process to complete the disclosure application. In addition, the candidate will be required to register their DBS check with the Update Service.
- 6.5. The Centre Business Manager is responsible for checking and verifying the ID required for the DBS check from the applicant.
- 6.6. The Centre Business Manager must ask the applicant to bring in their original certificate, and should record they have seen the certificate and record the disclosure number and the date of disclosure on the DBS verification form and stored on the personnel file of the candidate.
- 6.7. Individuals appointed will not be set up as a new staff member or allowed to commence their employment until a valid current DBS check (and barred list check if relevant) has been seen and documented.
- 6.8. In very exceptional circumstances, the requirement for a satisfactory DBS check prior to commencement may be waived by the headteacher, verifying that a written supervision plan is in place. No individual will be allowed to engage in any regulated activity, in any circumstances, until a suitable DBS and barred list check has been completed.

## **7. Dealing with positive criminal records disclosures**

- 7.1. If the disclosure certificate shows cautions, warnings and convictions, spent and unspent, the headteacher and/or Chair of Trustees (as agreed locally) is responsible for taking all decisions on whether to employ. A record of all discussions, rationale for reaching a decision and the final decision should be kept. A DBS risk assessment must also be completed, as detailed above.
- 7.2. Before a decision is reached on whether to withdraw a conditional offer, the individual will be offered the opportunity to discuss the content of the disclosure with the headteacher. Notes of any discussions with the individual will be made and retained confidentially on file.

- 7.3. The decision on whether to or not to confirm the appointment will take into account a range of factors, including:
- Whether they are barred from appointment under the DBS lists (and therefore it is unlawful to employ them in specific roles involving regulated activity)
  - whether the conviction is relevant to the position
  - the circumstances surrounding the offence, and any explanations given by the applicant
  - the seriousness of the offence
  - the length of time since the offence occurred
  - whether there is a pattern of behaviour, or whether it was a one off
  - whether the applicant's circumstances have changed
  - whether the applicant disclosed the information on convictions, cautions, warnings or bind overs at the application / interview stage.
- 7.4. Decisions will be made based on an assessment of any possible risk to children or vulnerable groups, rather than the simple fact that a conviction or other information is disclosed, and managers must apply discretion based on the full circumstances of each case. However, where there is doubt, the decision will always favour the welfare and safeguarding of children and vulnerable groups.
- 7.5. Any positive disclosures on criminal records checks must be signed off by the headteacher and/or Chair of Trustees via the agreed risk assessment process before any employment can commence.
- 7.6. Where a candidate has not declared a criminal record on their application form and the disclosure check reveals the existence of a criminal record, the headteacher and/or Chair of Trustees will discuss the matter with the applicant, but it will normally result in the offer of employment being withdrawn. If the applicant is already an employee of RBNWL, the matter will be investigated under RBNWL's Disciplinary Procedure before any decision or action is taken.

## **8. Handling and storage**

- 8.1. The information provided by the DBS is highly confidential and will only be used to assess the suitability or otherwise of the applicant for the job in question.
- 8.2. The headteacher will store any information, including the applicant's application form, risk assessments, reasonable adjustment forms, notes of any discussions with the candidate and rationale for the decision-making process, securely, electronically on RBNWL's system or in lockable storage.

## **9. Existing staff and rechecks**

- 9.1. It is recommended that all existing staff in posts which are subject to a DBS check register with the Online Update Service, if they have not already done so, at the time their recheck is due. There is a fee to pay for this service which will need to be covered by the individual.
- 9.2. Staff joining RBNWL from Sept 2019 onwards are required to register with the Update Service on joining RBNWL.
- 9.3. As a disclosure is a snapshot in time and has no ongoing validity, it is RBNWL's policy that staff registered with the Update Service will have their DBS checked annually.
- 9.4. The Centre Business Manager will be responsible for maintaining records of checks undertaken and dates, and will inform relevant staff when rechecks are due.

## **10. Overseas applications and applicants who have lived abroad**

- 10.1. The DBS can only check applicants from the date they arrive in the UK, or the time the applicant has lived in the UK. The DBS cannot currently access overseas criminal records or other relevant information held overseas as part of its Disclosure service. Therefore, a DBS check will not, in most cases, reveal if an individual has a criminal record held in another country. If the headteacher wishes to appoint an individual from overseas, or an individual who has lived abroad in recent years prior to the appointment, and the post requires a DBS disclosure, RBNWL will need to contact the relevant Foreign Embassy.
- 10.2. RBNWL is committed to doing all it can to ensure that every individual appointed to relevant posts is suitable to work with vulnerable people, including children.

## **11. Other workers**

- 11.1. Agency workers, contractors, subcontractors and volunteers must be assessed against the same criteria as those employed directly for RBNWL in relation to DBS check.
- 11.2. Agency workers
  - 11.2.1. Agency workers in roles which would require an employee to have a criminal records check must also have an up-to-date DBS check. The agency is required to inform RBNWL of any issues which arise from the checks. Whilst the agency might recommend a worker, it is RBNWL who takes the final decision about whether an agency worker is suitable for engagement.
  - 11.2.2. Adopting robust recruitment and vetting procedures is essential to minimise the risks of engaging individuals who may prove a risk to vulnerable groups, including children. Therefore, in addition to ensuring that the checks undertaken by the agency are satisfactory, RBNWL also requires the agency worker to bring their up-to-date DBS check (original copy) with them on their first day, to be checked and verified by the headteacher.
  - 11.2.3. Workers engaged via an agency must be rechecked annually.
- 11.3. Volunteers, students and work placements
  - 11.3.1. Where volunteers, those on work placement, or students are working with children or vulnerable people in specified establishments but are under the day to day supervision of another person engaging in regulated activity, in most cases, they will be exempt from the DBS checks. In any circumstances where volunteers or work placement students are undertaking regulated activity unsupervised, the same stringent checks must be applied as for staff, including a DBS disclosure check before commencement.
- 11.4. Contractors
  - 11.4.1. A standard clause relating to DBS disclosure requirements has been developed and should be included into any contract which involves work with, or providing services for children and/or vulnerable adults.
  - 11.4.2. It is the responsibility of the Group administrator to put appropriate measures in place to validate and ensure contract compliance.
- 11.5. Reporting to the DBS
  - 11.5.1. RBNWL will forward information to the DBS in all cases where an individual is dismissed or removed from regulated activity (or would have been removed had they not already left) because they harmed or posed a risk of harm to vulnerable groups including children. In cases where RBNWL believes the person has committed a criminal offence,

information will also be forwarded to the police at the earliest opportunity.

## **12. The Single Central Register - legal requirements**

- 12.1. The School Staffing (England) Regulations 2009 require maintained schools to keep a register (the Single Central Register - SCR) showing, in relation to each member of staff appointed after 1 January 2007 or before that date but still in post on 1 April 2007, whether various checks have been carried out, and the date on which each such check was completed. RBNWL is fully compliant with this requirement and an up-to-date SCR is held at each RBNWL site.

## **13. Records management**

- 13.1. The Headteacher is responsible for the safekeeping of this policy. This policy will be available for all staff on the staff drive.

## **14. Related legislation and documents**

- 14.1. External Documents
  - 14.1.1. The Safeguarding Vulnerable Groups Act 2006
  - 14.1.2. Protection of Freedoms Act 2012

Policy document control box	
Policy title	<b>Dealing with Allegations of Abuse against Staff</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
Approving body	Red Balloon NWL (RBNWL) trustees
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Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> </ul>

## **1. Purpose**

RBNWL acknowledges the importance of protecting all members of its communities (students and staff) from malpractice or false allegations of such. The following policy reflects the requirements of the DfE Guidance provided in Keeping Children Safe in Education (Sept 2020).

RBNWL seeks to ensure the highest levels of practice in all areas of its work. In pursuing that aim, we encourage anyone who has concerns about practice to raise them. Where the raising of such concerns is so serious that it suggests intended malpractice on the part of a staff member, then RBNWL strives to investigate carefully with due regard to the needs of the complainant(s) and the person against whom the allegation is made.

## **2. Scope**

It is the responsibility of all managers within RBNWL to ensure that any allegations of abuse are dealt with objectively and in accordance with this policy.

## **3. Policy statement, provision and safeguards**

### **Principles:**

A core principle of practice is that the procedures for dealing with allegations need to be applied with common sense and judgement.

RBNWL recognises the importance of having procedures for dealing with allegations. The organisation seeks to give all staff and volunteers an understanding of what to do if they receive an allegation against another member of staff or they themselves have concerns about the behaviour of another member of staff.

- RBNWL is committed to ensuring the health, welfare and safety of all members of the RBNWL community (staff, volunteers and students).
- As part of that commitment, RBNWL will ensure that no person who behaves in an unsuitable, inappropriate or criminal fashion towards young people is allowed to work within the organisation.
- All allegations must be reported as soon as they become apparent... in the first instance to the headteacher, or, should the allegation concern the headteacher, to a senior manager at Group. Any allegation concerning any member of 'Group' (the organisation's management body), should be made directly to the chief executive.
- In response to an allegation, all other options should be considered before suspending a member of staff: suspension should not be the default option. An individual should be suspended only if there is no reasonable alternative.
- Every attempt will be made to maintain confidentiality.
- It is in everyone's interest to resolve cases as quickly as possible.
- Investigations will be fair and thorough.
- The fact that a person tenders his or her resignation, or ceases to provide his/her services, must not prevent an allegation being followed up in accordance with these

procedures.

- Allegations that are found to be malicious will be removed from personnel records; any that are unsubstantiated, unfounded or malicious, will not be referred to in employer references.
- In those cases wherein students are found to have made malicious allegations, consideration will be given as to whether they can remain within the RBNWL community. If it is believed that a criminal offence has been committed by the student making the allegation, then further action may be taken.

### **Duties as an employer:**

RBNWL recognizes that it has a duty of care to all its employees, and will, therefore, ensure that effective support is provided for anyone facing an allegation and provide the employee with a named contact if they are suspended.

This policy concerns the management of cases of allegations that might indicate that a person is unsuitable to continue to work with children in their present position, or in any capacity. The policy will be followed in any case wherein it is alleged that any member of staff (including volunteers) is alleged to have:

- behaved in a way that has harmed, or may have harmed, a child;
- committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates he or she is unsuitable to work with children.

In any such case, RBNWL management will ensure that the allegation is dealt with quickly, in a fair and consistent way that provides effective protection for the child, and, at the same time, appropriately supports the person who is the subject of the allegation.

### **Process:**

Any person (student, staff, volunteer) working within RBNWL should raise a concern about the practice of a member of staff or volunteer if they believe that something that that member of staff has done, or is doing, is strongly contrary to RBNWL practice, or, conceivably, constitutes something that will lead to disciplinary or criminal action being taken. In particular they must raise a concern if they believe that any behaviour is a threat to a student's or students' safety.

Once an allegation has been made, the person to whom it is made must consider the nature of the alleged 'offence'.

In considering each allegation (throughout the process) the following 'categories of conclusion' should be considered:

- Substantiated** – there appears to be sufficient identifiable evidence to prove the allegation.
- False** – there is sufficient evidence to disprove the allegation.
- Malicious** - there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false.
- Unfounded** – there is no evidence or proper basis that supports the allegation being made. This conclusion might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances.



e **Unsubstantiated** - this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

Any allegation against a member of staff must always be discussed with a designated officer working for the Local Safeguarding Children Partnership (LSCP).

1. If the allegation is deemed to describe behaviour that is contrary to good child protection practice or constitutes abuse, or to be of a criminal nature, then the local authority officer will direct what action should be taken.
2. If it is deemed by the officer not to be criminal and not to pose physical or emotional harm to a student, then internal action will be taken to ensure that the issue is addressed. This will entail a process whereby the details of the allegation are discussed with the relevant member of staff and an agreement is reached regarding future practice to ensure that it accords with requirements stated within RBNWL's 'Safeguarding Policy' and 'Staff Code of Conduct'.

RBNWL is committed to ensuring that all allegations are followed up and taken seriously. It is equally committed to ensuring that each case is considered fairly and that, in any case wherein it is considered that an allegation has been made wrongly, unfairly or maliciously, then no damage is done to the standing or career of the person against whom the allegation was made.

Once the Local Authority Designated Officer (LADO) has been contacted s/he will discuss the allegation with the headteacher (or whoever makes the contact) to confirm details of the allegation and establish that it is not demonstrably false or unfounded. This information sharing will be, in the first instance, on an informal basis. The LADO will make an informed decision regarding the necessity of any further action eg whether there is a need for a formal strategy meeting, and who needs to be made aware of the allegation (possibly chair of trustees, parents or the accused). Each case brought to the LADO is likely to be different and therefore may result in a different process being taken. Should a criminal offence be deemed to have been committed following discussing with the local authority officer, then the matter will be referred to the police.

If there is cause to suspect that a child is suffering or is likely to suffer significant harm, or a possible criminal offence might have been committed, the local authority will request that a strategy meeting be convened immediately. The headteacher (or other person leading the investigation if it concerns the headteacher or member of Group), after discussion with the LADO, will inform the accused person about the allegation as soon as possible. Where a strategy discussion is needed, or police or children's social care may need to be involved, the headteacher will be advised not to inform the accused person until those agencies have been consulted, and have agreed what information can be disclosed to the person.

A strategy meeting will be convened when an allegation is made against an individual who works with children and that allegation is considered to be substantiated and of sufficient severity. This meeting will include senior representatives from health, police, the local authority, and legal services as well as the coordinator or the line manager of the accused. The meeting will normally be convened within three working days of the decision to meet being taken.

The strategy meeting will focus on the suspected or actual risk to children posed by the adult about whom there are concerns raised or allegations made. In a strategy discussion, or during the initial evaluation of the case, the agencies concerned will share all relevant information they have about the person who has made the allegation and about the accused

member of staff. An agreement will be reached in the strategy meeting regarding who will carry out an investigation and how this will take place, if it is deemed necessary. This will include consideration of the need to undertake:

- a child protection investigation,
- a criminal investigation,
- fact finding under the complaints procedure.

Consideration will be given as to whether the accused member of staff needs to be suspended from contact with children. In line with current guidance this is not the default position – a ‘sensible’ and ‘reasonable’ decision will be reached. Further consideration will be given, if necessary, to the relevant support mechanisms made available to the child or children against whom the alleged offences have been committed and to the accused member of staff.

### **Communication:**

The headteacher will inform the parents or carers of a child or children involved about the allegation (if they are not already aware of it) as soon as possible after discussing the allegation with the local authority officer.

The parents / carers will be kept informed regarding the progress of the case by the headteacher, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process (NB the deliberations of a disciplinary hearing, and the information taken into account in reaching a decision cannot normally be disclosed, but the parents or carers of the child should be told the outcome). The content and discussion may be agreed between the headteacher and the LADO. The headteacher will also keep the accused member of staff informed of the progress of the case and consider what other support is appropriate for the individual. The LADO will discuss with the headteacher how best to inform the individual of any updates.

### **Suspension:**

At any stage throughout the process, the accused member of staff may be suspended, without prejudice (this is a neutral act, and conveys no indication of ‘guilt’), on full pay from work, whilst further investigations take place. This course of action will be appropriate where any one of the following pertains:

- there is a cause to suspect a child is at risk of significant harm;
- the allegation warrants investigation by the police;
- the allegation is so serious that it might be grounds for dismissal.

### **Conclusion of a case:**

If the police elect to pursue criminal proceedings, then, should the person against whom the allegation has been made, be found guilty, the court will decide the appropriate action to be taken in legal terms: in employment terms, the person’s contract will be terminated immediately. The police will ensure that the person’s name (if appropriate) is placed on any necessary lists (eg barred list, prohibited from teaching list) and that records are maintained so that, should the person seek further employment at a future date, the necessary information will be provided to any prospective employer.

If the investigation is of a non criminal nature, the outcome of the process will be shared with the parents of the child or children concerned after taking advice from the LADO. The employee will be made aware of the outcome and of any action points agreed as a result of

the investigation. The LADO will discuss with the coordinator whether a referral should be made to the DfE for consideration of 'barred list' action, or to any other pertinent agencies.

Where, on conclusion of an investigation, it is decided that a person who has been suspended can return to work, the headteacher will consider how best to facilitate that.

Following any disciplinary action, a comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, will be kept on the employee's file, and a copy provided to the employee concerned. The purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has 'moved on'.

Information will also be held on a database that can only be accessed by LADO. The database will provide clarification in cases where a future DBS disclosure reveals information from the police about an allegation that did not result in a criminal conviction. This course of action will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record will show what action was taken, and, if appropriate, that the allegation was unfounded. The 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 whichever is longer.

### **Reporting outcomes to external agencies**

RBNWL will report promptly to the DBS any person (whether employed, contracted, a volunteer or student) whose services are no longer used for regulated activity and the DBS referral criteria are met, that is, they have caused harm or posed a risk of harm to a child. RBNWL may have ceased to use a person's services through:

- dismissal;
- non-renewal of a fixed-term contract;
- no longer engaging/refusing to engage a supply teacher provided by an employment agency;
- terminating the placement of a student teacher or other trainee;
- no longer using staff employed by contractors;
- no longer using volunteers;
- resignation;
- voluntary withdrawal from supply teaching, contract working, a course of initial teacher training, or volunteering.

Any report made will include as much evidence about the circumstances of the case as possible. Failure to make a report when required constitutes an offence. 'Compromise agreements' cannot be used to prevent a referral being made to the DBS when it is legally required, nor can an individual's refusal to cooperate with an investigation.

The proprietors of RBNWL have a legal duty to respond to requests from the DBS for information they hold already, but they do not have to find it from other sources.

RBNWL managers are also under a duty to consider making a referral to the TRA (Teaching Regulation Agency) where a teacher has been dismissed (or would have been dismissed had s/he not resigned) and a prohibition order may be appropriate. The reasons such an order would be considered are: 'unacceptable professional conduct', 'conduct that may bring the profession into disrepute' or a 'conviction, at any time, for a relevant offence'. Managers should refer to 'Teacher misconduct: the prohibition of teachers' (October 2015) or the TRA website for guidance as to when such referral is necessary.

**Confidentiality:**

All allegations will be treated seriously and with discretion. Proceedings and records in connection with the allegation will be kept as confidential as possible, but employees must appreciate that formal investigations cannot always be kept on an entirely confidential basis.

**Legislation / guidance that informs this policy:**

- The Children Act (1989)
- Section 175 of the Education Act (2002 ) (local authorities, governing bodies of maintained schools and institutions in the further education sector)
- Section 157 of the Education Act (2002) and the Education (Independent School Standards) (England) Regulations (2010, updated March 2016)
- The Children Act 2004
- Section 11 of the Children Act (2004) (other agencies)
- Sections 141F, 141G and 141H3 of the Education Act (2002)
- Teacher Misconduct: the prohibition of teachers (Oct 2015)
- Keeping Children Safe in Education (Sept 2019)

**Other RBNWL policies that should be read in conjunction with this one:**

- Staff Code of Conduct
- Complaints
- Disciplinary Policy
- Whistleblowing
- Safeguarding and Child Protection

Policy document control box	
Policy title	<b>Disability and Discrimination</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
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Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• Definitions of 'disability' and subsequent prescribed practice that must inform Red Balloon provision</li> <li>• Protection from discrimination</li> <li>• Normal day-to-day activities.</li> <li>• Direct discrimination</li> <li>• Indirect discrimination</li> <li>• Discrimination arising from disability</li> <li>• Harassment</li> <li>• Reasonable adjustments</li> <li>• Legislation and Guidance that inform this document</li> <li>• Other Red Balloon policies to be read in conjunction with this one</li> </ul>

## **Purpose**

This policy enshrines that Red Balloon strives to ensure that all young people, regardless of disability, gender, sexual preference or race are able to thrive and learn within its centres. It acknowledges the legal requirements now placed upon it.

## **Scope**

It is the responsibility of everyone working at RBNWL to ensure that no member of the RBNWL community is ever discriminated against, and to promote positive attitudes towards any person who has a disability.

## **Policy statement, provision and safeguards**

Since September 2002, every school has had three key duties towards disabled students (Part 4 of the DDA):

- not to treat disabled students less favourably than their peers for a reason related to their disability;
- to make reasonable adjustments for disabled students, so that they are not at a substantial disadvantage;
- to plan to increase access to education for disabled students.

Schools are required to produce an 'Accessibility Plan' that identifies the action the school intends to take over a three year period to increase access for those with a disability in three key areas. This plan must be evaluated annually and made available either through publication or on the school website. Each Red Balloon Centre will generate its own plan.

The three sections of that plan are:

- increasing the extent to which disabled pupils can participate in the school curriculum;
- improving the environment of the school to increase the extent to which disabled students can take advantage of education and associated services;
- improving the delivery to disabled students of information which is provided in writing for students who are not disabled.

In addition, the Disability Equality Duty (2006) requires all schools to:

- eliminate discrimination that is unlawful under the DDA;
- eliminate harassment of those with a disability;
- promote positive attitudes towards disabled persons;
- encourage participation by disabled individuals;
- take steps to take account of disabilities even if this involves treating disabled persons more favourably than their peers.

To fulfil their duties under the 2006 Act schools should involve those with a disability in producing a Disability Equality Scheme (DES) and Action Plan, and ensure that the scheme and plan are readily available.

Within the plan a school should:

- identify desired outcomes;
- demonstrate action taken to achieve those outcomes;
- report annually on the progress made and review the scheme and plan in light of that progress.

*Red Balloon Centres produce a three year plan and report annually against that plan.*

## **Definitions of 'disability' and subsequent prescribed practice that must inform Red Balloon provision**

Under the Equality Act, there are nine protected characteristics:

- age,
- disability,
- gender reassignment,
- marriage and civil partnership,
- pregnancy and maternity,
- race,
- religion or belief,
- sex.

RBNWL management will work to ensure that there is no discrimination whatsoever within any of the above characteristics.

The definition of disability in the DDA ('definition' may be misleading but the Act identifies those students covered by the Act) is not the same as the definition for SEN. The DDA covers only those who have 'a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities'. This definition is considered in detail in guidance produced by the Disability Rights Commission. The DDA also covers those with:

- severe disfigurements,
- impairments which are controlled or corrected by the use of medication, prostheses, or otherwise,
- progressive symptomatic conditions,
- a history of impairment,
- cancer, HIV or multiple sclerosis.

The DDA does not cover addiction to or dependence on nicotine, tobacco or other non-prescribed drugs or substances, hay fever, or certain mental illnesses that have anti-social consequences. Accordingly, it might be possible for a student to have special educational needs, but not be disabled for the purposes of the DDA, and vice versa (although the majority of disabled students will also have special educational needs).

## **Protection from discrimination**

A student who is disabled is protected from discrimination in two ways:

1. They are entitled not to be treated less favourably than a non-disabled student for a reason relating to their disability.
2. They are entitled to have reasonable adjustments made with respect to admission arrangements or in the provision of education and associated services, to prevent them being placed at a substantial disadvantage, unless the refusal to make those adjustments is 'justified'.

Such adjustments may be to policies, practices, or procedures of a school, but generally will not include adjusting premises (such as putting in ramps, lifts etc), nor will they usually include providing additional staff or equipment. Although these kinds of adjustments are covered in other parts of the DDA, they are expressly excluded from the schools' part of the DDA since it is generally intended that additional staff or equipment should be obtained through the SEN route and, at present, it would be too financially burdensome on schools to have an obligation to undertake rebuilding.

The *Equality Act 2010* describes a disabled person as follows:

"A person (P) has a disability if –

- a. P has a physical or mental impairment, and
- b. the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities."

The following definitions of each of the terms used in this description offer guidance to help determine whether a person is disabled or not:

- *Physical impairment* - includes sensory difficulties such as visual or hearing impairments.
- *Mental impairment* - includes learning difficulties, autism, dyslexia, speech and language difficulties, attention deficit hyperactivity disorder (ADHD).
- *Substantial* - means more than minor or trivial, but it may helpfully be thought of as meaning 'having some substance'.
- *Long-term* - includes those who have an impairment that:
  - o has lasted 12 months or more,
  - o is likely to last 12 months or more.

So while an autistic spectrum disorder (ASD) is a lifelong condition, impairments such as a broken leg, which would be expected to heal in less than a year, would not be covered.

*Normal day-to-day activities.*

These are not listed in the Equality Act. They include activities that people carry out often and regularly such as:

- mobility (eg moving around, getting to and from school, moving about the school or going on school visits);
- manual dexterity (eg holding a pen, pencil or book, using tools in design and technology, playing a musical instrument, throwing and catching a ball);
- physical coordination (eg washing or dressing, taking part in games and physical education);
- continence (eg adult support for toileting);
- ability to lift, carry or move everyday objects (eg carrying a full school bag or other fairly heavy items);



- using speech, hearing or eyesight (eg communicating with others or understanding what others are saying), hearing what class teacher is saying, the ability to see clearly (with spectacles or contact lenses where necessary);
- memory or ability to concentrate, learn or understand (eg work in school including reading, writing, number work or understanding information);
- understanding the risk of physical danger, inability to recognise danger (eg when jumping from a height, touching hot objects or crossing roads).

Schools / providers should give careful consideration to all the above 'areas'.

Unlawful discrimination can apply to every aspect of school life. It covers all school activities, including:

- extra-curricular activities,
- leisure activities,
- after-school clubs,
- homework clubs,
- sports activities,
- centre trips,
- centre facilities (for example, libraries and IT facilities).

Unlawful discrimination against a disabled student can occur in several ways:

- direct discrimination,
- indirect discrimination,
- discrimination arising from disability,
- harassment.

#### Direct discrimination

Direct discrimination occurs when a school treats a disabled student less favourably than a non-disabled student. An example might be a school refusing to admit disabled students. Direct discrimination is unlawful whether it is intended or not and regardless of the motive. However, it is not discrimination to treat a disabled student more favourably than a non-disabled student because of their disability.

#### Indirect discrimination

Indirect discrimination might occur when a school has a policy or rule that puts, or would put, disabled students at a disadvantage. An example might be a school having a rule that all students must be able to make their own way to and from after school clubs independently. Schools also have a duty to make 'reasonable adjustments' (see below) for disabled students – in effect making an exception to the rule if the rule would put the disabled student at a disadvantage.

#### Discrimination arising from disability

Discrimination arising from disability might happen when a school treats a disabled student unfavourably because of something that is a consequence of their disability. An example might be a school refusing to allow a student with attention deficit hyperactivity disorder (ADHD) to go on a class visit to the theatre, because that student has attention difficulties

and may disrupt the performance. The student's attention difficulties are a consequence of their disability.

### Harassment

Harassment occurs when a member of centre staff engages in conduct that either:

- violates a student's dignity, or
- creates an intimidating, hostile, degrading, humiliating or offensive environment for a student.

An example might be a teacher shouting at a student for failing to carry out an instruction because, as part of their autism, the pupil has receptive language difficulties and may have either misunderstood what has been asked or needs more time to process the instruction.

### **Reasonable adjustments**

Schools have a legal duty to take positive steps to make sure that students with disabilities can participate in all aspects of school life. Failure to make reasonable adjustments to ensure that disabled and non-disabled students have equal access in admission arrangements and to education services is unlawful. The 'reasonable adjustments' duty requires schools:

- to think ahead;
- anticipate the barriers that disabled pupils may face;
- remove or minimise them before a disabled pupil is placed at a substantial disadvantage.

***RBNWL will strive to meet the legal requirements of the legislation described here with the caveat that availability of finance will inevitably impact upon what it is possible to do in terms of modifications to buildings or the purchase of costly 'aids'.***

### **Legislation and Guidance that inform this document**

- SEN and Disability Act (2001) ... this extended the
- Disability Discrimination Act (DDA 1995) to cover education
- Disability Equality Duty (2006)
- Equality Act (2010)
- Disability Discrimination Act (2005)

### **Other Red Balloon policies to be read in conjunction with this one**

- Staff Code of Conduct
- Behaviour for Learning
- PSHEE

Policy document control box	
Policy title	<b>Equality and Diversity</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
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Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Our commitment</li> <li>• Policy statement</li> <li>• Vacancies</li> <li>• Selection and recruitment</li> <li>• Positive action - training, promotion and conditions of service</li> <li>• Protected characteristics</li> <li>• Types of discrimination</li> <li>• Equal pay</li> <li>• Pre-employment checks</li> <li>• Positive action</li> <li>• Types of action</li> <li>• Records management</li> <li>• Related legislation and documents</li> </ul>

## **1. Purpose**

- 1.1. Provide equality and fairness for all in our employment and not to discriminate on grounds of gender; marital status; race; ethnic origin; colour; nationality; national origin; disability; sexual orientation; religion/belief; or age.
- 1.2. Encourage all staff to take an active role against any form of harassment or discriminatory behaviour.
- 1.3. Deter all staff from participating in any form of harassing or discriminatory behaviour.
- 1.4. Demonstrate to all staff that they can rely upon Red Balloon's support in claims of harassment and discrimination at work.

## **2. Scope**

- 2.1. The rights and obligations set out in this policy apply equally to all staff, whether part time or full time on a substantive or fixed-term contract, and also to associated persons such as secondees, agency staff, contractors and others employed under a contract of service.
- 2.2. You have personal responsibility for the application of this policy. As part of your staff induction, you are expected to read and familiarise yourself with this policy, ensure that this policy is properly observed and fully complied with.
- 2.3. This policy is also of particular relevance to directors, line managers and other staff concerned with recruitment, training and promotion procedures and employment decisions which affect others.

## **3. Our commitment**

- 3.1. Ensure equality and diversity for all at Red Balloon.
- 3.2. Create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- 3.3. Ensure that Red Balloon accesses the widest labour market and secures the best staff for its needs.
- 3.4. Create and manage a working environment that promotes dignity and respect to all and where no form of intimidation, bullying or harassment is tolerated.
- 3.5. Ensure that no applicant or member of staff receives less favourable treatment than anyone else and that, wherever possible, they are given the help they need to attain their full potential to the benefit of Red Balloon and themselves.
- 3.6. Achieve an ability-based staff group which is in line with the working population mix in the relevant labour market areas
- 3.7. Ensure training, development and progression opportunities are available to all staff.
- 3.8. The cooperation of all staff is essential for the success of this policy. However, ultimate responsibility for achieving the policy's objectives, and for ensuring compliance with the relevant Acts of Parliament as well as the various Codes of Practice, lies with the Trustees of individual Red Balloon Learner Centres. Behaviour or actions against the spirit and/or the letter of the laws on which this policy is based will be considered grounds for serious disciplinary matters, and can in some cases, lead to dismissal.
- 3.9. Equality in the workplace is good management practice and makes sound business sense.
- 3.10. Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.
- 3.11. This policy is fully supported by senior management.
- 3.12. The policy will be monitored and reviewed annually

- 3.13. All staff members have the right to be given equal opportunity in all aspects of employment and should be treated fairly with dignity and respect in all matters and not subjected to discrimination or harassment on the grounds of gender, race, colour, ethnic origin, nationality, sexual orientation, gender reassignment, age, part time working, fixed term working, marital status, disability, trade union activity, religious and political belief and Red Balloon expect you to behave in such a manner towards your colleagues.
- 3.14. Every member of staff has an obligation to act in accordance with this policy, both in the workplace and at times and places associated with the workplace including work related social gatherings, and you must behave in a way that does not discriminate towards colleagues, customers or suppliers. This policy applies to all Red Balloon's working practices in relation to employment and vocational training including recruitment and selection, terms and conditions of employment, salary, promotion, transfer and termination of employment etc. This policy also applies to staff working abroad or who are required to travel abroad as part of their job.
- 3.15. Any breaches of this policy will be considered wholly unacceptable behaviour, and subject to a thorough investigation and could lead to disciplinary action up to and including dismissal, including summary dismissal.
- 3.16. The effectiveness of this policy will be monitored.

#### **4. Policy statement**

- 4.1. Red Balloon is committed to eliminating discrimination and encouraging diversity amongst our workforce. Red Balloon's aim is that staff will be truly representative of all sections of the community and indeed society and that each member of staff feels respected and able to give of their best. Red Balloon oppose all forms of unlawful and unfair discrimination.
- 4.2. All staff, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be based on aptitude and ability. All staff will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of Red Balloon.
- 4.3. Red Balloon believes that any behaviour in Red Balloon that results in treating individuals or groups without respect or dignity, or in a way that is degrading or humiliating, whether it breaks the law or not, must stop. All cases of such behaviour will be investigated and Red Balloon will treat all complaints fairly, quickly, and with confidentiality.

#### **5. Vacancies**

- 5.1. Wherever possible, all vacancies will be advertised simultaneously both internally and externally. Steps will be taken to ensure that knowledge of vacancies reaches under-represented groups.

#### **6. Selection and recruitment**

- 6.1. Selection criteria (job descriptions and employee specifications) will be kept under constant review to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.
- 6.2. At all times, the shortlisting and interview panel will consist of at least two, but ideally three people. Wherever possible, the line manager to the post being recruited will be included as part of these two processes. Anyone applying for a role who declares a disability will automatically be selected for interview.
- 6.3. The shortlisting panel will be clear about the shortlisting criteria and ensure candidates applications are considered in line with the person specification for the role. All candidates will be scored on a shortlisting grid against the

relevant criteria. Whilst feedback for unsuccessful candidates is not routinely given, it will be if asked for by the candidate.

- 6.4. The interview panel will have a pre-agreed set of questions to ask candidates and will score objectively and fairly. For every interview, regardless of seniority or type of role being recruited to, at least one member of the panel will be suitably trained in safeguarding.
- 6.5. Reasons for selection and rejection of applicants for vacancies will be recorded. Wherever possible, if requested, feedback to unsuccessful applicants will be offered.

## **7. Positive action - training, promotion and conditions of service**

- 7.1. People in under-represented groups will be encouraged to apply for training and employment opportunities with Red Balloon.
- 7.2. Wherever possible, efforts will be made to identify and remove unnecessary or unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged and/or under-represented groups.

## **8. Protected characteristics**

- 8.1. Under the Equality Act 2010 the following characteristics are protected from discrimination, i.e. '*protected characteristics*':

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race or ethnic origin
- Religion or belief
- Gender
- Sexual orientation

- 8.2. Age

- 8.2.1. An "age group" is defined as "a group of persons defined by reference to age, whether by reference to a particular age or a range of ages". Age discrimination can also occur in relation to someone's apparent age. It is not unlawful however, to impose an age restriction if it is a proportionate means of achieving a legitimate aim and can be justified

- 8.3. Disability

- 8.3.1. A disability is a physical or mental impairment that has a substantial and long-term adverse effect on normal day-to-day activities which would include things like using a telephone, reading a book or using public transport. Red Balloon will provide equal opportunities for disabled people in all areas of employment including recruitment, training, promotion, transfer, redeployment and in terms and conditions of employment.
  - 8.3.2. Red Balloon recognises its duty under the Equality Act 2010 to make reasonable adjustments to working arrangements or premises where these discriminate against disabled staff. If you have a disability, you should ensure that Red Balloon are aware of this so that Red Balloon may make reasonable adjustments. Reasonable adjustments are things like altering the working hours, adjusting a person's duties or buying equipment to assist them carry out their work.

- 8.4. Gender reassignment

- 8.4.1. The expression "gender reassignment" applies to either a man or woman who decides to live permanently as the opposite sex

- regardless of whether or not they decide to undergo any medical procedures.
- 8.5. Marriage and civil partnership
- 8.5.1. This applies to persons who are married or who have entered into a civil partnership.
- 8.6. Pregnancy and maternity
- 8.6.1. This applies to a woman who suffers less favourable treatment either as a direct or indirect result of her being pregnant or on maternity leave.
- 8.7. Race or ethnic origin
- 8.7.1. This applies to persons who are treated less favourably on the grounds of their race, colour, creed or ethnic origin. The law has recently been extended to cover Caste.
- 8.8. Religion or belief
- 8.8.1. Religion or belief includes any religion, religious belief or similar philosophical belief. It also includes a lack of religion, in other words, staff or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief.
- 8.9. Gender
- 8.9.1. This applies to men and women who are treated less favourably because of their gender.
- 8.10. Sexual orientation
- 8.10.1. Sexual orientation is defined as:
- orientation towards persons of the same sex (homosexual)
  - orientation towards persons of the opposite sex (heterosexual)
  - orientation towards persons of the same sex and opposite sex (bisexual)
- In addition, there are a number of Codes of Practice which although are not legally binding, Red Balloon support as far as possible, and recognise that Employment Tribunals will refer to them when determining the reasonableness of an employer's actions. These codes include the Code of Practice on Age Diversity 1999, Code of Practice on the Protection of the Dignity of Women and Men at Work as well as the Codes of Practice supplied by the Commission for Racial Equality (CRE) and the Equal Opportunities Commission.

## 9. Types of discrimination

- 9.1. There are many types of discrimination both direct and indirect. The responsibility for avoiding acts of discrimination lies with both you and Red Balloon. All forms of discriminatory behaviour will be treated as a disciplinary offence.
- 9.2. The main types of discrimination are as identified below.
- 9.3. Direct discrimination
- 9.3.1. Where a person or group are treated less favourably than another person because of a 'Protected Characteristics' they have or are thought to have, or because they associate with someone who has a protected characteristic.
- 9.4. Associative discrimination
- 9.4.1. This applies to race, religion or belief, sexual orientation age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

9.5. Perceptive discrimination

9.5.1. This applies to age, race, religion or belief, sexual orientation disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

9.6. Indirect discrimination

9.6.1. This applies to age, race, religion or belief, sex, sexual orientation, marriage and civil partnership, disability and gender reassignment.

9.6.2. Indirect Discrimination can occur when there is a rule, policy or even a practice that applies to everyone but particularly disadvantages people who share a protected characteristic.

9.7. Harassment

9.7.1. This is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. This applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnerships. You will now be able to complain of behaviour that you find offensive, even if it is not directed at you, and the complainant needs not possess the relevant characteristic themselves. You are also protected from harassment because of perception and association.

9.8. Victimisation

9.8.1. Victimisation occurs when a member of staff is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. Staff are not protected from victimisation if they have maliciously made or supported an untrue complaint. There is no need to compare the treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

9.9. Post employment

9.9.1. Where someone is discriminated against, victimised or harassed, in certain circumstances, after the working relationship has ended.

## **10. Equal pay**

10.1. Red Balloon is committed to ensuring equality of pay between men and women and will strive to ensure that staff receive equal pay for work of equal value. Pay and benefits will be regularly reviewed and monitored to ensure pay parity. Decisions regarding pay and benefits and salary reviews will be made with equal pay in mind.

## **11. Pre-employment checks**

11.1. Red Balloon may request medical information from you in order to determine if reasonable adjustments are needed for the selection process and in order to determine if the applicant can carry out a function that is essential to the job.

## **12. Positive action**

12.1. Red Balloon may take positive action to encourage staff or job applicants, with a protected characteristic, to apply for a post within Red Balloon. Positive action may include guaranteeing an interview for applicants who apply and who come under one of the protected characteristics, or by offering development or training to equip those with a protected characteristic with the



- necessary skills or knowledge to become proficient in that job.
- 12.2. Where necessary, special steps, as permitted by the relevant Acts of Parliament, will be taken to help disadvantaged and/or under-represented groups to compete for jobs on a genuine basis of equality. Furthermore, it is committed to ensuring that no one group of people is treated more or less favourably than any other on the grounds of their sex, race, nationality, ethnicity, marital status, disability, sexual orientation, age or religious or other beliefs.

### **13. Types of action**

#### **13.1. Informal action**

- 13.1.1. If you have reason to make a complaint you may want to take one or more of the following steps:
- Inform the harasser to stop
  - Seek help or guidance from a colleague, supervisor, line manager etc.
- 13.2. If you are too upset or embarrassed to speak directly to the harasser, you may write a letter to them stating what behaviour is causing offence, how it affects you and asking them to stop. Keep a copy of this letter, and any notes of incidents and occurrences with dates and times
- 13.3. Any of the above people may speak to the harasser, requesting them to stop. Most problems will cease once the harasser knows their behaviour is unacceptable and in breach of the equal opportunities policy.

#### **13.4. Formal action**

- 13.4.1. If the informal action does not result in the harassment ceasing, or where it is considered that more serious harassment has taken place, then you should report the facts in writing to your line manager which can be processed through a representative if preferred. This should detail the:
- Name of the alleged harasser
  - Nature of the alleged harassment
  - Dates and times when the alleged harassment occurred
  - Names of any witnesses
  - Action already taken, if any, by you to stop the alleged harasser.

#### **13.5. Investigation of the complaint**

- 13.5.1. In all instances, allegations will be treated seriously and with the utmost confidentiality for all concerned.
- 13.5.2. On receipt of the formal complaint action will be taken to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another area of work or suspension with pay until the matter is resolved.
- 13.5.3. The complaint will be thoroughly investigated by your line manager normally within 5 working days of receiving a complaint. In the absence of one of these people, and in the case of extenuating circumstances, a substitute of an appropriate staff member would be acceptable. No person who has been involved in the complaint being investigated will be responsible for the investigation.
- 13.5.4. During the investigation your line manager will interview both the complainant and accused, interview witnesses, if any, and ascertain all the relevant facts. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

- 13.5.5. During an investigation, all parties involved may be accompanied by a colleague or TU representative of their choice.
- 13.6. Reports
  - 13.6.1. When the investigation has been concluded a draft report of the findings and your line manager's proposed decision will be sent in writing to you and the alleged harasser.
  - 13.6.2. If you or the alleged harasser is dissatisfied with the draft report or the proposed decision, this should be raised with your line manager within 5 working days of receiving the draft. Any points will be considered by your line manager before the final report is sent, in writing, to you and the alleged harasser.
- 13.7. Further action
  - 13.7.1. If the report concludes that the allegation is well founded, the harasser will be subject to disciplinary action in accordance with the disciplinary procedure, and as such may also appeal against any action taken against them. The resulting disciplinary action will also consider whether it is necessary to transfer the offender to avoid further conflict within the working environment.
  - 13.7.2. If you bring a complaint of harassment you will not be victimised for having brought the complaint. However if the report concludes that the complaint was both untrue and was brought with malicious intent, disciplinary action may be taken against you.
  - 13.7.3. If the complaint is not upheld but your line manager believes that the current working relationship cannot be maintained, then either party may be asked to relocate.
  - 13.7.4. Your line manager may recommend mediation to help both parties to find a course of action that is acceptable to them and allows each to retain their dignity. This is only possible with the agreement of both parties.
  - 13.7.5. The Headteacher is responsible for the effective operation and monitoring of our Equal Opportunities Employment Policy.

## **14. Records management**

- 14.1. The Headteacher is responsible for the safekeeping of this policy. This policy will be available for all staff on the staff drive.

## **15. Related legislation and documents**

- 15.1. External Documents
  - 15.1.1. Equality Act 2010
- 15.2. Internal Documents
  - 15.2.1. Code of Conduct for all staff
  - 15.2.2. Selection and recruitment policy
  - 15.2.3. Complaints policy
  - 15.2.4. Disciplinary policy

Policy document control box	
Policy title	<b>E-Safety</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
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RBNWL approving body	Red Balloon NWL (RBNWL) trustees
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Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement and provisions</li> <li>• Key factors within esafety</li> <li>• Specific responsibilities</li> <li>• Use of digital / video images</li> <li>• 'Sexting':</li> <li>• Staff postings</li> <li>• Related legislation and documents</li> </ul>

## Purpose

Red Balloon is committed to utilising technology to inform and support learning. We seek to embrace new developments that offer improved learning opportunities to students. Equally we are determined to ensure that all Red Balloon students and staff remain safe and free from the dangers implicit in the use of that technology. Our aims are to ensure that:

- students do not access material that may be damaging or disturbing to them;
- students do not access material that might be considered to be politically inflammatory or lead them towards 'extremist' / 'terrorist' behaviour;
- students are not subject to cyber-bullying of any sort;
- students do not engage in the posting of any material that might be deemed offensive or threatening (to anyone, but particularly to other members of the Red Balloon community);
- staff are professional in their use of social media and networking sites.

In line with general Red Balloon aims our intentions are that students:

- take responsibility for their online presence and acknowledge / understand that 'virtual' behaviour is akin to real world behaviour with the same rights and responsibilities attached;
- are well prepared for life beyond Red Balloon;
- make informed decisions for themselves.

## Scope

This E-Safety policy forms the basis for practice across RBNWL. Unusually, as well as guiding the practice of Colleagues and Students, our policy is also to engage directly with our parent/carer body through our Centre based "safe use of technology" agreement.

RBNWL uses a "safe use of technology" agreement that is negotiated between staff, students and parents / carers. It is the responsibility of the headteacher to ensure that such an agreement is in place and, subsequently, to ensure that all parties comply with the practice described.

## Policy statement and provisions

### *Key factors within esafety*

- Online behaviour – understanding what constitutes cyber-bullying and sexting, how to behave safely and with respect for others;
- protecting online reputation – understanding both the risks and rewards of sharing personal information online (digital footprint);
- how to use social networking safely;
- understanding the reliability and validity of online information;

- data security – keeping personal information safe and being aware of viruses and hacking;
- knowing what to do if anything ‘bad’ happens.

In summary all staff will work to ensure that risk is minimised within the two key ‘danger’ areas:

- **content** – what students may see or be exposed to (eg spam, misleading adverts, inappropriate sites, exposure to radicalisation);
- **contact** - who students have contact with...

and that students understand how to **conduct** themselves safely online.

Red Balloon management is acutely aware of its responsibilities under the new ‘Protect’ guidance (see Safeguarding Policy) and will ensure all staff are trained to reduce the risk of any Red Balloon student accessing material likely to lead to radicalisation, but also that students are encouraged to discuss openly any concerns or worries they have regarding radicalisation.

## Specific responsibilities

Headteachers (day to day practice may be managed by a nominated member of staff) will:

- ensure each centre has an agreement (generated between students and staff) concerning the appropriate use of technology;
- ensure compliance with regulations;
- provide (either directly or through access to appropriate providers) high quality training for staff;
- provide clear guidelines for students regarding the consequences of online bullying and inappropriate use of technology;
- ensure all Red Balloon providers offer clear, open lines of communication through which students are able to report any incidents of concern;
- ensure procedures are in place for responding to esafety incidents and reducing the likelihood of their recurrence;
- ensure Red Balloon staff provide training and support to students to help them become ‘digitally responsible’ and to stay safe online;
- ensure Red Balloon staff monitor and filter online access to help keep students ‘on task’ and to reduce the likelihood of harmful experiences online;
- ensure Red Balloon staff engage with parents to help them put esafety procedures in place at home.

**All staff** are responsible for ensuring that:

- they have an up to date awareness of esafety matters and of the current Red

Balloon esafety policy and practices;

- they have contributed to and comply with the local agreement re 'safe use of technology';
- they report any suspected misuse of technology or problem to their coordinator (or to a member of 'Group' should that misuse be by the coordinator);
- all digital communications with students or their parents are only carried out using official school systems;
- esafety issues are embedded in all aspects of the curriculum;
- students understand and uphold copyright regulations;
- students are helped to access appropriate sites only;
- if inappropriate material is accessed, processes to ensure that the likelihood of repeated access is minimised are followed.

*As a working professional unit, teachers and support staff must ensure that esafety is embedded in general practice and taught as a cross-curricular theme.*

**The designated person for child protection (safeguarding lead)** within each centre should be trained in esafety issues and be aware of the potential for serious child protection / safeguarding issues that may arise from:

- sharing of personal data;
- access to illegal or inappropriate materials;
- inappropriate online contact with adults or strangers;
- potential or actual incidents of grooming;
- cyber-bullying.

*·NB It is important to emphasise that these are child protection issues, not technical issues. The technology simply provides additional means for child protection issues to develop.*

#### **Students:**

- are responsible for using technology systems within centres according to the 'acceptable use' guidelines;
- should uphold copyright regulations;
- need to understand the importance of reporting abuse, misuse or access to inappropriate materials and know how to do so;
- will be expected to be involved in the development of policies on the use of mobile devices, digital cameras, and other technology;
- should be aware of Red Balloon policy re cyber-bullying;
- should understand the importance of adopting good esafety practice when using digital technologies out of school.

**Parents** (NB 'parents' is understood to include carers):

Parents play a crucial role in ensuring that their children understand the need to use the internet / mobile devices in an appropriate way. Red Balloon staff will take every opportunity to help parents understand these issues through parents' evenings, newsletters, letters, and the website. Parents will be encouraged to support Red Balloon staff in promoting good safety practice and to follow guidelines on the appropriate use of:

- digital and video images taken at school events;
- access to parents' sections of the website and other online sites (such as ParentView);
- their children's personal devices whilst attending a centre or engaging with online learning.

## **Use of digital / video images**

Staff should inform and educate students about the risks associated with the taking, use, sharing, publication and distribution of images. In particular students should come to recognise the risks attached to publishing their own images on the internet (such as social networking sites).

In accordance with guidance from the Information Commissioner's Office, parents are welcome to take videos and digital images of their children at school events for their own personal use (as such use is not covered by the Data Protection Act). These images should not, however, be published or made publicly available on social networking sites.

Equally students may take photographs of their peers, but they must not take, use, share, publish, or distribute images of others without their permission.

Staff and volunteers may take photographs of students when engaged in school activities, but due care should be taken regarding the following:

- students should be appropriately dressed;
- written permission must be obtained from parents / carers before photographs are used on the Red Balloon website or in other information / publicity materials eg newsletters, fliers;
- students' full names should not be posted on a website or blog or within publicity materials when associated with photographs.

**NB Staff must never circulate by email or text, or post on social media sites, photographs of students taken at a centre or elsewhere (for instance, on residential trips).**

## **'Sexting'**

In the UK, it is against the law to share or distribute explicit images of anyone under the age of 18 - even if the person sharing them is the person in the photo. If caught, students can

face police cautions or even arrest. Action taken will be based on the nature of the imagery. Any such action can lead to a criminal record and later failings of DBS checks. Staff will work to ensure that all students know the risks of sending x-rated photos from a personal, emotional and criminal perspective. However an agreement currently exists between the National Police Chiefs Council (formerly ACPO) and the Crown Prosecution Service that advises police forces NOT to prosecute young people sexting unless there are very good reasons to do so.

If it comes to a member of staff's attention that students are exchanging explicit images across social media - whether invited or not - it is crucial that the situation is dealt with sensitively. Regardless of whether the sharing happens at home or on Red Balloon premises, if it involves Red Balloon students, and is affecting their work or wellbeing, it should be treated as a school matter, and the involved parties should be approached for advice. We are 'allowed' to deal with such matters internally, but will seek advice from the LSCB (local safeguarding children board) when deemed necessary. Referrals to the police will only be made if advice from the LSCB is that this is the appropriate course of action.

## **Staff postings**

Centre staff must ensure that:

- no reference is made by them on personal social media to students, parents / carers or other centre staff ;
- they do not engage in online discussion on personal matters relating to members of the school community;
- personal opinions expressed online are not attributed to Red Balloon;
- security settings on their own personal social media profiles are such that students cannot access personal information that is posted there.

## **Related legislation and documents**

### **Legislation and guidance that inform this document**

- Children Act (2004)
- The Safe Use of New Technologies (Ofsted 2010)
- Working Together to Safeguard Children (Gov.UK July 2018)
- Keeping Children Safe in Education (Gov.UK Sept 2019)
- E-Safety a Practical Guide for Schools (RM Education 2018)

### **Other Red Balloon policies to be read in conjunction with this one**

- Staff Code of Conduct
- Safeguarding
- Behaviour for Learning
- Anti-bullying
- Data Protection
- Whistleblowing



Policy document control box	
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Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> </ul>

## **Purpose**

This policy enshrines that Red Balloon aims to ensure that all students have access to an appropriate range of external accreditation and that all examinations are carried out in a professional manner.

## **Scope**

The headteacher is responsible for ensuring that an appropriate range of external accreditation is available to students, and that examination procedures are followed rigorously. RBNWL will appoint an examinations officer.

## **Policy statement, provision and safeguards**

The purpose of the policy is to ensure that:

- the planning, and management of examinations and external assessment processes are conducted in the best interests of students;
- all examinations and external assessment processes are conducted in line with national and examining body regulations;
- all those involved in all aspects of examinations and external assessment processes are familiar with their roles and responsibilities.

The examinations officer is responsible for examinations practice.

The examinations officer is responsible for ensuring that:

- all examinations and external assessment processes are conducted in accordance with national and awarding body regulations;
- an appropriate range of examinations and accreditation is available to students;
- students are provided with the opportunity to undertake all external assessments in an organised, well-controlled and supportive environment, enabling them to achieve their potential;
- students, parents, teachers and all relevant parties are aware of key dates and details regarding all course entries and external examinations;
- all results are conveyed to students, and other appropriate agencies, such as referring schools and commissioning agents;
- any access arrangements are applied for at the appropriate time - this should be done jointly with the member of staff who has SENCo responsibilities;
- a summary of student performance in external accreditation is sent annually to parents / carers.

The tasks involved in meeting these responsibilities may be delegated to other staff.

The exams officer will:

- maintain systems and processes to support the timely entry of students for their examinations;
- submit students' coursework and controlled assessment marks;

- dispatch and store returned coursework and any other material required by the appropriate awarding bodies correctly and on schedule;
- arrange for dissemination of examination results, any appeals/re-mark requests and certification;
- produce a timetable of examinations and ensure it is appropriately circulated;
- ensure any necessary information is added to the centre website;
- receive, check and securely store all examination papers;
- ensure all examination fees are paid on time.

All teaching staff will strive to ensure that students for whom they are responsible are given the best possible opportunity to succeed and to achieve appropriate external accreditation.

Each member of staff will:

- liaise with the examinations officer and inform them of any new qualifications being considered or offered;
- provide all necessary information to the examinations officer concerning entries, forecast grades and coursework;
- ensure that they are familiar with the relevant assessment frameworks and objectives for all relevant examinations;
- maintain accurate records of student progress to facilitate accurate prediction of results;
- ensure that students are well prepared for external assessments through long and medium term planning, regular monitoring and formative assessment and practice and intervention strategies;
- ensure that all examination entries and coursework or controlled assessment procedures are administered in a timely and efficient manner through accurate completion of coursework mark sheets and declaration sheets, accurate completion of entry forms and all other mark sheets and adherence to required deadlines (see later in this document re plagiarism);
- analyse examination performance data in their subject area(s) and review practice in the light of that analysis.

## Invigilation

The examinations officer will ensure that a responsible invigilator is identified for each examination. The invigilator will:

- collect examination papers and other material from the examinations officer before the start of the examination;
- oversee the examination, in line with national and examination body regulations;
- take an accurate register of all students sitting examinations;
- collect all examination papers in the correct order at the end of the examination and ensure their return to the examinations officer;
- ensure that students do not have access to any information or support that is not specifically identified as being required or allowed for that examination.

In accordance with the requirements of The Equality Act (2010) and Disability Discrimination Act (2005), all staff must ensure that the access arrangements and special consideration regulations and guidance are consistent with the law.

Making special arrangements and arranging support for candidates to take examinations is the responsibility of the examinations officer.

## **Entries**

Subject teachers select students for examination entries.

Students or parents may request a subject entry, change of tier or withdrawal.

## **Examination fees**

Centres will pay all normal examination fees for students.

## **‘Special consideration’**

Should a student be ill before an examination, suffer bereavement or other trauma, be taken ill during the examination itself or otherwise be disadvantaged or disturbed during an examination, then it is the student’s parent’s / parents’ (or carer’s / carers’) responsibility to alert the examinations officer or the headteacher to that effect.

The student must support any special consideration claim with appropriate evidence within three days of the examination, eg a doctor’s letter. The examinations officer must then forward a completed special consideration form to the relevant awarding body within seven days of the examination.

If an unforeseen event affects the running of an exam (eg a fire alarm), this instance will be reported to the appropriate examining board and agreed action taken.

## **Controlled assessments**

Controlled assessments are the responsibility of the teachers, who must ensure that:

- all controlled assessments are run in line with the relevant awarding body's regulations;
- any special arrangements are met;
- they complete the relevant mark sheets and ensure they are sent together with any other required items to the moderator;
- a comprehensive record is kept of what was sent, who it was sent to and when it was sent.

Teachers must provide the examinations officer with marks for all internally assessed work and estimated grades.

## **Coursework**

The submission of coursework is the responsibility of teachers.

All coursework should be completed in line with the relevant awarding body's regulations.

Students should submit coursework before the deadlines given to them by teachers.

Teachers will complete and pass relevant mark sheets and samples to the examinations officer.

The examinations officer will dispatch mark sheets and coursework samples and keep appropriate records of all communications.

## **Appeals against internal assessments**

Students may appeal if they feel their coursework has been assessed unfairly, inconsistently, or not in accordance with the specification for the qualification.

Appeals should be made in writing to the examinations officer who will decide whether the process used conformed to the necessary requirements. The officer's findings will be notified in writing to the appropriate awarding body: subsequent action will be dependent upon advice from that body.

## **Plagiarism**

Red Balloon staff will attempt to ensure that no student achieves an 'unwarranted' grade through plagiarism. There are many definitions of plagiarism, but they all have in common the idea of taking someone else's intellectual effort and presenting it as one's own. JCQ defines plagiarism as, "the failure to acknowledge sources properly and/or the submission of another person's work as if it were the candidate's own". Most usually plagiarism refers to copying from published texts whether these are in print or on the internet, but it can also refer to copying from manufactured artefacts, or essays or pieces of work previously submitted for examinations.

A strict interpretation of the term "work" in the above definition would include the original ideas, as well as the actual words or artefacts produced by another. However all work relies at least to some degree upon previous sources: only if the candidate has submitted an extensive and unacknowledged paraphrase (amounting to more than 50% of the total) of another person's writings will this be deemed as plagiarism / malpractice.

By virtue of its definition, plagiarism is restricted to those examination components where students undertake examination work in unsupervised conditions, such as coursework, pre-release work, or the compilation of research notes which can be used in the examination. It can also occur when candidates are permitted to annotate texts and take them into the examination room.

Copying from another student during an examination is not strictly defined as plagiarism, but necessary action (informing the appropriate awarding body) will always be taken.

Working jointly with other students is to be commended, *but* any eventual submission must be solely the work of the candidate or indicate clearly where collaborative working has taken place. Staff must ensure that this is the case.

All Red Balloon staff entering candidates for a qualification with a coursework component must accept the obligation to authenticate the work submitted for assessment. Staff must confirm that the work produced is solely that of the candidate concerned. Staff will not accept work which is not the candidate's own. If plagiarism is discovered prior to the signing of a declaration of authentication, the incident need not be reported to the awarding body; it may be dealt with internally. If discovered after this point, the awarding body must be notified. Given the close working relationship between Red Balloon staff and students, it is expected that staff would quickly know (different style, unusual vocabulary etc) if work submitted is not that of the candidate i.e. has been plagiarised and must take appropriate action.

*In order to reduce the likelihood of students resorting to such practice staff:*

- should consider incorporating an awareness raising session on academic honesty when students begin examination courses;
- must ensure that where an awarding body has issued guidance on submissions, all students have been issued with (and internalised) that guidance;
- must ensure that each candidate understands the contents of any such guidance particularly the meaning of plagiarism and what penalties may be applied;
- should reinforce to a candidate the significance of their signature on any form stating they have understood and followed the coursework and portfolio requirements for the subject;
- should make clear what is and what is not acceptable in respect of plagiarism and the use of sources, including the use of websites... it is unacceptable to simply state 'Internet' as a reference, just as it would be unacceptable to state 'library' rather than the title of the book, name of the author, the chapter and page reference. It is similarly unacceptable to list search engines such as Google, Ask Jeeves etc - candidates must provide details of any web pages from which they are quoting or paraphrasing;
- should teach the use of quotation marks when sources are quoted directly (a suggested guideline for the need to put items in quotation marks would be the use of more than six words in unchanged form);
- should set reasonable deadlines for submission of work and provide reminders;
- should give time for sufficient work to be done in class under direct supervision to allow themselves to authenticate each candidate's whole work with confidence;
- should examine intermediate stages in the production of work in order to ensure that the work is underway in a planned and timely manner;
- should introduce classroom activities that use the level of knowledge/understanding achieved during the coursework thereby making the teacher confident that the student understands the material;
- could ask students to make a short verbal presentation to the rest of the group on their work;
- should stress to students and their parents/carers the penalties of malpractice;
- must take care to ensure that work undertaken in previous years' examinations by other students is not submitted as their own by candidates for the current examination - the safekeeping of such earlier work is of great importance, and its issue to candidates for reference purposes should be carefully monitored;

- must not accept, without further investigation, any work which they suspect has been plagiarised.

## **Use of a word processor during examinations**

The Equality Act 2010 requires an Awarding Body (external examinations) to make reasonable adjustments where a disabled person would be at a substantial disadvantage in undertaking an assessment.

A reasonable adjustment for a particular person may be unique to that individual and may not be included in the list of available access arrangements.

How reasonable the adjustment is will depend on a number of factors including the needs of the disabled candidate/learner. An adjustment may not be considered reasonable if it involves unreasonable costs, timeframes or affects the security or integrity of the assessment.

The 'normal way of working' for exam candidates is that candidates handwrite their exams. For any student who normally / consistently requires the use of a word processor to support their studies in the centre, then the use of a word processor in examinations will be considered. A word processor cannot simply be granted to a candidate because s/he now wants to type rather than write or can work faster on a keyboard, or because s/he uses a laptop at home. The use of a word processor in an examination will only be sanctioned where:

- this reflects the candidate's normal way of working within the centre;
- there is a firmly established need for such use;
- an approved access arrangement exists;
- the student would be at a substantial disadvantage in relation to other students were the use of a word processor not to be permitted.

The only exceptions to the above would be a temporary injury or impairment, or a diagnosis of a disability or manifestation of an impairment relating to an existing disability arising after the start of the course.

Whilst it is not possible to identify a definitive list of conditions that might lead to the need to use a word processor, the following are examples where usage will be agreed:

- a learning difficulty which has a substantial and long term adverse effect on their ability to write legibly;
- a physical disability that makes writing in a legible form very difficult;
- a sensory impairment that impacts upon the ability to write by hand.

Essentially the need for use of a word processor will be indicated by a student's:

- inability to write by hand;

- planning and organisational problems when writing by hand;
- exceptionally poor handwriting.

Those staff responsible for examination arrangements must ensure that permission to use a word processor does not compromise the assessment objectives of the examination. Thus the use of a word processor will be considered on a subject by subject basis and may, on occasion, only be permitted for certain parts of an examination.

The use of a word processor is normally considered and agreed where appropriate at the start of a course. Students are made aware when they will have the use of a word processor for timetabled examinations and non-examination assessments.

Where the use of a word processor has been agreed, staff responsible for supplying the equipment must ensure that it is used only as a typewriter and not as a database. Although standard formatting is acceptable, any processor used must have been cleared of all previously stored data. Also any grammar checking or predictive text facility must have been disabled. Should a memory stick be required, then it must not hold any pre-stored information.

Staff invigilating the examination must ensure that the use of a word processor by one student does not have a negative impact upon the performance of others eg through sight of the screen or noise emitted by the processor.

## **Management of controlled assessments - specific staff responsibilities**

### *Headteacher and examinations officer*

The headteacher and examinations manager are responsible for the safe and secure conduct of controlled assessments. In meeting this responsibility they will:

- ensure assessments comply with JCQ guidelines and awarding bodies' subject-specific instructions;
- work with subject teachers to schedule controlled assessments... and ensure that:
- clashes/problems over the timing or operation of controlled assessments are foreseen and resolved;
- all staff involved have a calendar of events;
- an internal appeals policy for controlled assessments is available.

Given the lack of a lengthy hierarchy at Red Balloon Centres ie heads of department etc, the headteacher and examinations officer will work with subject teachers to ensure that they are able to meet the responsibilities detailed below.



### Subject teachers

Teachers must:

- decide on the awarding body and specification for a particular GCSE;
- ensure that marking is standardised internally;
- ensure that they fully understand their responsibilities with regard to controlled assessments;
- ensure they fully understand the requirements of the awarding body's specification, are familiar with the relevant teachers' notes and any other subject specific instructions;
- where appropriate, develop new assessment tasks or adapt sample awarding body assessment tasks to meet local circumstances, in line with the awarding body's specification and control requirements;
- understand and comply with the general guidelines detailed within the JCQ publication *Instructions for conducting controlled assessments*;
- understand and comply with the awarding body's specification for conducting controlled assessments, including any subject-specific instructions, teachers' notes or additional information on the awarding body's website;
- supply to the exams officer/administrator details of all unit codes for controlled assessments;
- obtain confidential materials/tasks set by awarding bodies in sufficient time to prepare for the assessment(s) and ensure that such materials are stored securely at all times;
- supervise assessments (at the specified level of control);
- undertake the tasks required under the regulations, only permitting assistance to candidates as the specification allows;
- ensure that candidates and supervising teachers sign authentication forms on completion of an assessment;
- mark internally assessed components using the mark scheme provided by the awarding body;
- submit marks to the awarding body by the published deadline, keeping a record of the marks awarded;
- retain candidates' work securely between assessment sessions (if more than one);
- post-completion, retain candidates' work securely until the closing date for enquiries about results;
- (in the event that an enquiry is submitted) retain candidates' work securely until the outcome of the enquiry and any subsequent appeal
- has been conveyed to the centre;
- ensure they are aware of any access arrangements for students and that those arrangements are carried out.

Where confidential materials are directly received by the exams office, s/he is responsible for receipt, safe storage and safe transmission, whether in CD or hard copy format. S/he will download and distribute marksheets for teaching staff to use.

## **Access Arrangements**

*The SENCo is responsible for ensuring that access arrangements are applied for in good time and that they are carried out appropriately. This person will ensure that all staff are aware of any arrangements made and that any equipment required is available in good time.*

## **Results**

Students will be notified (by email, post or in person - arrangements will be made before students leave for the summer break) immediately results are published.

A summary of results will be posted on the Red Balloon Website.

## **Enquiries about results (EARs)**

In any case where the subject teacher has reasonable grounds for believing there has been an error in marking, and the student concurs (the student's written consent must be obtained), the result will be queried. The examinations officer will seek a 're-mark' at the centre's expense.

If a student wishes to challenge a result, but that wish is not supported by centre staff, that decision should be discussed with the student. Should the student still wish to submit an enquiry, s/he will be asked to pay the requisite amount to the centre before the EAR is lodged.

*NB In those cases wherein the grade is raised, all costs will be reimbursed by the awarding body.*

## **Certificates**

The examinations manager will ensure that all certificates are presented or sent to students.

## **Legislation and Guidance that inform this document**

- Exams administration: information exam centres (DfE 2014)
- Equality Act (2010)
- Disability Discrimination Act (2005)

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Date signed	

Policy contents:
<p>Purpose of the plan</p> <p>Causes of potential disruption to the exam process</p> <ul style="list-style-type: none"> <li>• Exam officer extended absence at key points in the exam process</li> <li>• SENCo extended absence at key points in the exam cycle</li> <li>• Teaching staff extended absence at key points in the exam cycle</li> <li>• Invigilators - lack of appropriately trained invigilators or invigilator absence</li> <li>• Exam rooms - lack of appropriate rooms or main venues unavailable at short notice</li> <li>• Failure of IT systems</li> <li>• Centre unable to open as normal during the exams period</li> <li>• Candidates unable to take examinations because of a crisis – centre remains open</li> <li>• Disruption to the transportation of completed examination scripts</li> <li>• Assessment evidence is not available to be marked</li> <li>• Centre unable to distribute results as normal</li> </ul>

## **Purpose of the plan**

This plan examines potential risks and issues that could cause disruption to the management and administration of the exam process at Red Balloon Learner Centre North West London. By outlining actions/procedures to be followed in case of disruption it is intended to mitigate the impact these disruptions have on our exam process.

Alongside internal processes, this plan is informed by information contained in the ***Joint contingency plan for the examination system in England, Wales and Northern Ireland*** where it is stated that “Centres should prepare plans for any disruption to examinations as part of their general emergency planning. It is important to ensure that relevant centre staff are familiar with the plan. Consideration should be given as to how these arrangements will be communicated to candidates, parents and staff should disruption to examinations occur.”

## **Causes of potential disruption to the exam process**

### **1. Exam officer extended absence at key points in the exam process**

In a period of extended absence the Deputy Headteacher would take responsibility for carrying out the duties of the Exams Officer. All members of the invigilating team regularly receive training and colleagues involved in the administration of key processes are trained on how to carry out processes and who to contact in extremis.

### **2. SENCo extended absence at key points in the exam cycle**

In the event of the extended absence of the SENCo, appropriate back-filling of responsibilities would be decided upon by the Headteacher or Deputy Headteacher who is the Head of Centre.

### **3. Teaching staff extended absence at key points in the exam cycle**

In the event of a period of extended absence of a member of the teaching staff, the headteacher would arrange teaching cover from within the staff team and/or the wider staffing establishment at the Red Balloon Learner Centre Group. New staff providing cover would be briefed as part of their induction process on arrangements for assessment and examinations. Their practice in terms of assessments would be monitored by the Headteacher.

### **4. Invigilators - lack of appropriately trained invigilators or invigilator absence**

Within the wider school staff, colleagues are required to assist during main exam sessions and are trained by the Exams Officer with regard to their responsibilities and duties. Minor absence issues (such as an invigilator calling in sick) are covered by a member of the staff team.

### **5. Exam rooms - lack of appropriate rooms or main venues unavailable at short notice**

The examinations are accommodated within the school. If the school were to be evacuated at short notice we would accommodate students in a vacant classroom at the nearby Harrow

School. If the examination had already begun, students would be escorted under close supervision to maintain exam conditions.

## **6. Failure of ICT systems**

The school endeavours to minimise any ICT disruption via resilient design and preventative maintenance. In the event of an issue this would be dealt with the ICT support team who test and update the systems on a regular basis. Where such failure impacted on scheduled exams, steps would be taken to resolve the problem as quickly as possible.

## **7. Centre unable to open as normal during the exams period**

In the event of the Centre not being able to open as normal, appropriate communication with the relevant Awarding Bodies would be undertaken by the Exams Officer and alternative options would be explored such as moving exams to an external location (such as the nearby Harrow School). All arrangements would be agreed with the Awarding Body before being put in place. In such instances, details would be communicated to candidates via the school's website, email and text facilities. Staff involved in exams (including invigilators) would be contacted by email, telephone and text.

## **8. Candidates unable to take examinations because of a crisis – Centre remains open**

Response is dependent on the type of issue. The procedure for absence is outlined in the examinations policy. If a candidate is able to sit the exam but cannot attend the Centre due to a crisis, appropriate communication with the relevant Awarding Bodies would be undertaken by the Exams Officer and alternative options would be explored (home, hospital, alternative Centre etc.). Appropriate use of Special Consideration policies would be applied should the candidate/candidates be unable to attend due to unforeseen circumstances and where alternative arrangements could not be made or are not agreed by the Awarding Body.

## **9. Disruption to the transportation of completed examination scripts**

All scripts are returned using the designated dispatch methods prescribed by the Awarding Body concerned. Where this becomes unavailable or inappropriate, the Awarding Body will be contacted to discuss suitable alternatives.

## **10. Assessment evidence is not available to be marked**

In the event of large scale damage or destruction of completed examination scripts/assessment evidence before it can be marked, the Exam Officer would notify the Awarding Body immediately for advice and further instructions. Student marks would be submitted based on appropriate evidence and candidates would be given the opportunity to retake in a subsequent series.

## **11. Centre unable to distribute results as normal**

The Centre distributes the results 'as normal' via collection by learner. Where learners do not collect results in person, these will be distributed via post.

Policy document control box	
Policy title	<b>Exclusion</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> </ul>

## 1. Purpose

This policy enshrines that Red Balloon aims to provide supportive learning communities that enable young people to re-engage with education. Those communities must support all students in their development. In any case where an individual persistently chooses to fail to meet their own responsibility to the community by ignoring / abusing the rights of other members or another member, then, logically, they may not remain within the community. Exclusion may be the chosen response under such circumstances.

## 2. Scope

The Headteacher is responsible for ensuring that this policy impacts appropriately upon practice.

## 3. Policy statement, provision and safeguards

RBNWL will seek advice from its referring authorities as to their procedure for recording and monitoring exclusions (fixed term or permanent). Should RBNWL apply a fixed term exclusion, the headteacher will ensure that the appropriate procedure is followed.

A centre will only use fixed term exclusion where staff have failed to enable a young person to modify their behaviour and that behaviour impacts unacceptably upon the rights of other members of the community. The purpose of such an exclusion would be twofold:

- to ensure the rights of all members of the community are upheld;
- to allow time to set up a meeting involving parents, commissioning agents and other involved agencies - at that meeting a clear plan will be set to ensure that all rights are upheld.

Should the commissioning agent or the student feel that continued attendance would leave other members of the community at discernible risk, ie the 'excluded' student is unable or unwilling to commit to maintaining the rights of others, then the placement may be terminated.

Red Balloon would only apply permanent exclusion procedures if the student, their parents and the commissioning agent wished to continue placement, but the headteacher judged that the rights (to learn, to be safe emotionally and physically and to be treated with respect) of a member or members of the community would be placed in jeopardy by the continued attendance of the student.

All days lost to exclusion will be recorded and communicated to the appropriate authority.

*Should a parent feel that a student has been unfairly denied access to a place at Red Balloon, they should submit a complaint in line with the Red Balloon Complaints Policy.*

**Legislation and Guidance that inform this document**

- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Exclusion from maintained schools, academies and pupil referral units in England (2015)

The above do not apply directly to independent schools, but it is essential that Red Balloon staff who manage referrals are cognisant of legal requirements that apply to schools, academies, and referral units and of the responsibilities given to local authorities.

**Other Red Balloon policies to be read in conjunction with this one**

- Behaviour for Learning
- Admissions
- Use of Reasonable Force
- Complaints... should any parent /carer feel that their child has been unfairly treated, they should refer to the complaints policy for guidance on the appropriate action to take.



Policy document control box	
Policy title	<b>Fire</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
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Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• Employee duties:</li> <li>• Procedures:</li> <li>• Minimising the risk from dangerous substances:</li> <li>• Raising the alarm:</li> <li>• Actions to be taken once the alarm is raised:</li> <li>• Fighting fires - Extinguisher use</li> <li>• Legislation and Guidance that informs this policy</li> <li>• Other Red Balloon policies that should be read in conjunction with this one</li> </ul>

## **Purpose**

This policy enshrines that Red Balloon recognises the need to meet our legal obligations to staff, students and visitors as described within the Fire Safety Order (2005). We aim to provide a safe place of work where fire safety risks are minimised: our priority at all times is the safety of all individuals connected with or visiting Red Balloon.

## **Scope**

The Headteacher will ensure that there is a lead person responsible for fire safety and that that person ensures that practice meets all the requirements of this policy.

## **Policy statement, provision and safeguards**

- minimise all risk of fire attached to property / accommodation;
- ensure all 'volatile' materials are appropriately and safely used;
- ensure all materials / fabrics are fire resistant;
- ensure all staff, students and visitors know what to do if they discover a fire;
- ensure all staff, students and visitors understand what to do if a fire alarm is raised.

## **Employee duties:**

All employees have a duty to take reasonable steps to ensure that they do not place themselves or others at risk of harm. They are expected to cooperate fully with all procedures designed to protect the safety of others.

The lead person for fire safety will ensure that all staff are aware of current procedures.

## **Procedures:**

The centre will have a lead person for fire safety, and other staff will attend training that covers:

- basic fire protection;
- fire safety awareness;
- action upon discovering a fire;
- action on hearing an alarm sounding;
- location and operation of fire alarm call points;
- purpose of fire resisting doors and their location;
- theory of fire combustion;
- fire evacuation procedures;
- assembly and accountability of staff and visitors;
- needs of disabled staff and visitors;
- practical use of portable fire extinguishers.

A list of trained staff is available at each centre.

An annual fire risk assessment will be undertaken at each centre by the lead person for fire safety.

The fire evacuation procedure will be practised at least three times per year, and a record kept of each evacuation.

Staff will be provided with an annual update re fire safety practice (during planning / preparation meetings prior to the beginning of the Autumn Term).

Fire safety will be a core element of the induction process for all employees and volunteers.

Centres will ensure that any visitors to the centre and any contractor / worker operating at the centre are conversant with fire procedures.

All fire extinguishers will be serviced and maintained annually by a suitably qualified contractor.

Staff will be made aware that they must report any missing or defective equipment immediately.

Alarms will be checked at least annually by a suitable contractor.

Each centre will ensure that it has an accurate record of people in the building at all times and that this is available in the case of an evacuation.

All routes that may be used during an evacuation will be kept free from obstruction at all times.

Each centre will have a suitable system for the maintenance of clear emergency routes and exits (with doors opening in the direction of the escape), signs, notices, emergency lighting where required, fire detectors, alarms and extinguishers - maintenance should be by a competent person eg ISO9001 or BAFE approved.

If there is a member of staff or student who is unable to leave the building unaided, a personal emergency evacuation plan (PEEP) will be completed to ensure that s/he can be provided with the necessary support required to exit the building, and that plan must be executed once the alarm is raised.

If a visitor would require support to exit the building, their requirements should be discussed upon arrival and the coordinator / person responsible for fire safety must satisfy themselves that the visitor will be able to exit the building in a timely fashion.

## **Minimising the risk from dangerous substances:**

- All flammable liquids and gas cylinders will be appropriately stored.
- Only those quantities of liquids and gas required for use will be exposed at any time.
- Flameproof equipment will be used where flammable atmospheres may be encountered.
- Arrangements will be made for the safe handling and transport of dangerous substances.
- COSHH data sheets will be produced for hazardous substances.
- As part of the fire safety assessment a risk assessment in line with the Dangerous Substances and Explosive Atmospheres Regulations will be carried out.

## **Raising the alarm:**

If the fire is discovered by a staff member or visitor, the alarm will be raised by activation of the nearest call point located on each landing and hallway throughout the building (by pressing the central 'weak spot' in the middle of the glass). If a fire is detected by automatic detectors, this will trigger the fire alarm.

### *Actions to be taken once the alarm is raised:*

- The fire marshal on duty will take charge and lead the evacuation.
- All staff will take responsibility for ensuring that they and students (and visitors if appropriate) leave the building promptly.
- The fire marshal will do a 'sweep' of the building to ensure everyone has left.
- The fire marshal will dial 999 and provide necessary details.
- Required items will be taken from the building e.g. visitors book, record of people in the building..
- No-one will place themselves at risk of harm or injury, or delay their exit to collect possessions or close windows, but the last person to leave a room should close the door.

- No-one will be allowed to re-enter the building until the fire services have confirmed that it is safe to do so.
- The fire marshal will check that all students, staff and visitors are present outside the building and inform the fire services if anyone is missing.

## **Fighting fires - Extinguisher use**

Extinguishers are located on every floor of the building in each centre (fire marshals are trained to use these). They will only be used when the fire is small (smaller than a tea towel). If no success is achieved after ten seconds, the procedure should be terminated and evacuation procedures followed.

## **Legislation and Guidance that informs this policy**

- Fire Safety Order (2005)
- Dangerous Substances and Explosive Atmospheres Regulations (2002)

## **Other Red Balloon policies that should be read in conjunction with this one:**

- Health and Safety
- Risk Assessment

Policy document control box	
Policy title	<b>First Aid</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• General first aid practice</li> <li>• First aid containers</li> <li>• First aid materials, equipment and facilities</li> <li>• Arrangements for students with medical conditions</li> <li>• First aid personnel's main duties</li> <li>• First aid qualifications and training</li> <li>• First aid recording</li> <li>• Hygiene and infection control</li> <li>• Laboratories</li> <li>• Travelling first aid containers</li> <li>• Legislation and Guidance that inform this document</li> <li>• Other Red Balloon policies to be read in conjunction with this one</li> </ul>

## Purpose

This policy enshrines that Red Balloon, Under the Health and Safety at Work etc Act 1974, must take reasonable steps to ensure that staff and students are not exposed to risks to their health and safety. This applies to activities on or off school premises.

Red Balloon is committed to ensuring that all students and staff work and study in a safe environment, and that, should an accident occur, then first aid will be available in a timely and competent manner. We seek to effectively implement all necessary guidance and ensure good practice in all areas of the provision of first aid.

## Scope

The headteacher holds responsibility for ensuring that there are sufficient trained staff to provide adequate cover. Those staff are responsible for providing support / treatment when needed and all staff hold responsibility for following health and safety guidelines.

## Policy statement, provision and safeguards

The headteacher must ensure that there is sufficient first aid provision for:

- lunch times and breaks;
- off-site activities;
- practical areas such as those for science, cookery and PE;
- any contractors working on-site.

They must also ensure that adequate arrangements exist to cover the absence of trained first aiders.

The responsible trustees will review the centre's first aid provision with the headteacher annually to ensure that standards are being met.

## General first aid practice

*Whenever students are present on site, there will be at least one qualified first aider present on the site.*

RBNWL seeks to ensure that equipment is safe and fit for purpose, that staff are appropriately trained to carry out specific tasks and that there is always adequate first aid equipment available together with appropriately trained staff.

The headteacher will ensure that sufficient trained personnel are available according to identified need as documented in the First Aid Needs Risk Assessment.

The headteacher is responsible for informing all staff of the first aid arrangements, the location of equipment, facilities and first aid personnel, and the procedures for recording and reporting arrangements as well as monitoring the centre's first aid needs.

A list of first aiders must be displayed in the vicinity of the first aid box (a green box with a white cross on it). A list of trained first aid staff, together with details as to their training and renewal of that training is available, and will be displayed at every centre. First aid information will be included in the induction programme for staff and students.

## **First aid containers**

There is no mandatory list of items for a first aid container box. However, the HSE recommends that, where there is no special risk, minimum contents are:

- a leaflet giving general advice on first-aid,
- twenty individually wrapped sterile adhesive dressings (assorted sizes),
- two sterile eye pads,
- four individually wrapped triangular bandages,
- six safety pins,
- six medium sized (12cm x 12cm) individually wrapped sterile unmedicated wound dressings,
- one pair of disposable gloves.

Equivalent or additional items are acceptable

(Source: Guidance on First Aid for Schools: A Good Practice Guide)

## **First aid materials, equipment and facilities**

There will be at least one first aid box (marked with green cross on white background) on each floor; additional containers are used for visits to sports fields, playgrounds or off-site activities.

Inhalers must be carried on trips as required.

The first aiders are responsible for monitoring the contents of the first aid kit, replacing items as soon as possible after use. Items that have passed their expiry date should be safely discarded. Extra stock should be kept in the centre. The visibility of first aid boxes is crucial and should be given careful consideration. If possible, they should be kept near hand washing facilities.

The art room is readily available to use for caring for sick or injured students. It contains a washbasin and is reasonably near a WC.

## **Arrangements for students with medical conditions**

RBNWL will collect all available medical information regarding each student referred to them. That information will be stored and circulated to staff as necessary.



Where students are required to take medication at a centre, then advice will be sought from parents / carers and appropriate medical practitioners regarding the safest way of ensuring that the medication is stored (if required) and taken.

If a student becomes ill whilst at a centre, there is a medical room available (as required under Independent School Regulations). The student will be taken to that room, a trained first aider will ascertain any necessary course of action and that will be followed with immediate effect. Parents / carers will always be notified, and arrangements made to ensure that the student is able to 'get home safely'.

Where a student has a known condition (eg asthma, epilepsy, diabetes), full information and advice will be sought from parents / carers and medical staff. A record will be kept on the student's file. If an IHP (Individual Health Care Plan) exists, information will be circulated to staff as required.

As a general guide...

*If a student suffers from an asthma attack, staff will:*

- keep calm and reassure the child;
- encourage the child to sit up and slightly forward;
- encourage the child to use her/his own inhaler – if not available, they will provide an emergency inhaler;
- remain with the child while the inhaler and spacer are brought to them;
- immediately help the child to take two separate puffs of salbutamol via the spacer;
- if there is no immediate improvement, continue to give two puffs at a time every two minutes, up to a maximum of 10 puffs;
- stay calm and reassure the child;
- stay with the child until they feel better when they can return to school activities

If the child does not feel better or staff are worried, then an ambulance will be called.

*If a student undergoes an epileptic fit, staff will:*

- protect the child from injury (remove harmful objects from nearby);
- place something soft, such as a folded sweater, under their head;
- help the child to breathe by gently placing them in the recovery position once the seizure has finished;
- stay with the child until they come round and are fully recovered;
- be calmly reassuring.

They will not:

- restrain the child's movements;
- put anything in the child's mouth;
- try to move them unless they are in danger;
- give the child anything to eat or drink until they are fully recovered;

- attempt to bring them round.

If:

- the seizure continues for more than usual for that child or longer than five minutes;
- one seizure follows another without the child regaining consciousness in-between;
- the child is injured during the seizure;
- the child has difficulty in breathing... then an ambulance will be called.

*If a centre admits a student with diabetes:*

The student should have an IHP detailing the type of their diabetes. This should also provide details of triggers and symptoms for hyperglycemia (high blood sugar level) and hypoglycemia (low blood sugar level). As a general rule a child suffering from hyperglycemia needs to drink and to go to the toilet as they need. They may require extra insulin. A child suffering from hypoglycemia will usually require something sugary to eat or drink.

*Students with known allergies:*

Medical information will always be sought at the point of referral. If a student has a known allergy, then advice will be sought as to how occurrence of the allergy can be prevented or reduced to the minimum possible level. In extremis, if a student suffers an anaphylactic reaction (symptoms may include swelling of tongue and/or throat, difficulty in swallowing or speaking, vocal changes eg hoarse voice, wheeze or persistent cough or severe asthma, difficult or noisy breathing, stomach cramps or vomiting after an insect sting, dizziness / collapse / loss of consciousness), then emergency treatment will be sought either through taking the student to an accident and emergency centre, or calling an ambulance. In any case where a student requires access to specific equipment (eg an epipen) should their allergy be triggered, first aid staff will ensure that the appropriate equipment is available, and that staff understand what action to take.

## **First aid personnel's main duties**

The first aiders' main duties are to give immediate help to casualties with common injuries, and, when necessary, to ensure that an ambulance or other professional medical help is called.

### [First aid qualifications and training](#)

The administrator is responsible for ensuring that all first aid training courses are approved by the HSE and updated as required. A First Aid at Work Certificate is valid for only three

years. Refresher training must be arranged three months before a certificate expires.

#### First aid recording

A record will be kept of any first aid treatment given by first aiders; this will include:

- the date, time and place of the incident;
- the name of the injured or ill person;
- details of the injury or illness and first aid given;
- what happened to the person immediately afterwards (ie did they go home, resume normal duties, go back to class or go to access further treatment);
- the name and signature of the first aider or person dealing with the incident.

Parents / carers will always be informed of any accident. Centre staff will attempt to contact the parent / carer by telephone, text or email. Should it not be possible to make immediate contact, messages will be left (eg voicemail, work colleagues etc) asking the parent / carer to contact the centre. Parents / carers will have right of access to any records made regarding the accident, and, should they feel that practice has been insufficient (either to prevent the accident or in responding to it), then their rights as described within the centre's complaints procedures will be explained to them.

Some accidents are reportable to the HSE under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) and the administrator should check if this is necessary after an incident. The accident record book will be kept in the office at each centre.

#### Hygiene and infection control

Staff should take precautions to avoid infection and must follow basic hygiene procedures. Staff should have access to single-use disposable gloves and hand-washing facilities, and should take care when dealing with blood or other body fluids, and when disposing of dressing or equipment.

Blood and body fluids (BBF) may contain disease causing microorganisms, thus any 'deposits' must be dealt with as soon as possible after a spillage has occurred. BBF may be blood, faeces, pus or vomit. It is the responsibility of all staff to deal promptly with such spills. BBF spills may be classified as high or low risk and this will determine the recommended cleaning process to be employed. A **low risk** spillage may be a urine spill through careless toilet usage, or an area that has been observed as being accidentally coughed or sneezed upon. A **high risk** spillage may be blood or vomit: both should be considered potentially hazardous. Any staff cleaning up such a spill must ensure that all precautions (gloves, appropriate cleaning materials and disposal) are pursued to reduce the likelihood of infection. Any materials produced from such clean up must be placed into a refuse bag (a store is kept on site) and the bag disposed of into the large bin kept at the

front of the centre.

#### Laboratories

The headteacher and science staff will ensure that eyewash (in date) is available for use should that be necessary.

#### Travelling first aid containers

HSE recommend that where there is no special risk for off-site activities, a minimum stock of items for travelling first aid containers is:

- a leaflet giving general advice on first-aid,
- six individually wrapped sterile adhesive dressings,
- one large sterile unmedicated wound dressing (18cm x 18cm),
- two triangular bandages,
- two safety pins,
- individually wrapped moist cleansing wipes,
- one pair of disposable gloves.

Equivalent or additional items are acceptable. Additional items may be necessary for specialised off-site activities.

### **Legislation and Guidance that inform this document**

- Health and Safety Advice for Schools (DfE – updated Feb 2014)
- Health and Safety at Work Act etc (1974)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (1995)
- Guidance on First Aid for Schools - a Good Practice Guide

### **Other Red Balloon policies to be read in conjunction with this one**

- Health and Safety - procedures for reporting accidents are detailed in this policy
- First Aid Needs Risk Assessment

Policy document control box	
Policy title	<b>Non Examination Assessment</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
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Date signed	
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Policy contents:
<ul style="list-style-type: none"> <li>• Aims</li> <li>• Legislation</li> <li>• Definition</li> <li>• Roles and responsibilities</li> <li>• Task setting</li> <li>• Task taking</li> <li>• Authentication</li> <li>• Task marking</li> <li>• Malpractice</li> <li>• Enquiries about results</li> <li>• Links with other policies</li> </ul>

## 1. Aims

This policy aims to:

- Cover procedures for planning and managing non-examination assessments
- Define staff roles and responsibilities with respect to non-examination assessments
- Manage risks associated with non-examination assessments

## 2. Legislation

The Joint Council for Qualifications (JCQ) requires each exam centre to have a non-examination assessment policy. This is outlined in the [JCQ's instructions for conducting non-examination assessments](#), which we refer to when carrying out non-examination assessments in our school.

This policy also takes into account the [JCQ's guidance on post-results services](#) and [general regulations for approved centres](#).

## 3. Definition

The JCQ explains that non-examination assessments measure subject-specific knowledge and skills that cannot be tested by timed written papers. There are three assessment stages and rules which apply to each stage. The rules often vary across subjects. The stages are task setting, task taking and task marking.

## 4. Roles and responsibilities

This section sets out the key responsibilities of staff in relation to non-examination assessments. For more detailed guidance on the requirements for conducting non-examination assessments, staff should read the JCQ guidance referred to above.

### 4.1 Head of centre

In our school, the head of centre is Cathy Taylor, Headteacher.

The head of centre is responsible for:

- Ensuring that the centre's non-examination assessment policy is fit for purpose
- Ensuring that non-examination assessments comply with JCQ guidance and awarding body subject-specific instructions
- Ensuring that [JCQ's information for candidates](#) is distributed to all candidates prior to assessments taking place
- Ensuring the centre's internal appeals procedure clearly details the procedure to be followed by candidates (or their parents/carers) appealing against an internal assessment decision, and that details of this procedure are communicated and made widely available and accessible
- Drawing to the attention of candidates and their parents/carers the centre's complaints procedure, for general complaints about the centre's delivery or administration of a qualification

### 4.2 Senior leaders

Senior leaders are responsible for:

- Ensuring that non-examination assessments comply with JCQ guidance and awarding body subject-specific instructions

### 4.3 Subject leaders

Subject leaders are responsible for:

- Familiarising themselves with JCQ instructions for conducting non-examination assessment
- Understanding and complying with specific instructions relating to non-examination assessment for the relevant awarding body
- Ensuring that individual teachers understand their responsibilities with regard to non-examination assessment
- Ensuring that teachers use the correct task for the year of submission and take care to distinguish between tasks and requirements for legacy and new specifications, where relevant
- Obtaining confidential materials/tasks set by awarding bodies in sufficient time to prepare for the assessment(s), where relevant, and ensuring that such materials are stored securely at all times
- Undertaking appropriate departmental standardisation of non-examination assessments

#### **4.4 Teachers**

Teachers are responsible for:

- Understanding and complying with JCQ instructions for conducting non-examination assessment
- Understanding and complying with the awarding body's specification, where provided, for conducting non-examination assessments, including any subject-specific instructions, teachers' notes or additional information on the awarding body's website
- Marking internally assessed work to the criteria provided by the awarding body

#### **4.5 Exams officer**

The exams officer is responsible for:

- Supporting the administration/management of non-examination assessment

#### **4.6 Special educational needs co-ordinator (SENCO)**

The SENCO is responsible for:

- Ensuring that all relevant staff are aware of any access arrangements that need to be applied

### **5. Task setting**

Where the centre is responsible for task setting, in accordance with specific awarding body guidelines, heads of department/teachers will:

- Select from non-examination assessment tasks provided by the awarding body, or
- Design their own tasks, in conjunction with candidates where permitted, using criteria set out in the specification

Teachers will ensure that candidates understand the assessment criteria for any given assessment task.

### **6. Task taking**

Where appropriate to the component being assessed, the following arrangements apply unless the awarding body's specification says otherwise.

## 6.1 Supervision

- Invigilators are not required
- Centres are not required to display the JCQ 'no mobile phone' poster or JCQ 'warning to candidates'
- Candidates do not need to be directly supervised at all times
- The use of resources, including the internet, is not tightly prescribed, but teachers will always check the subject-specific requirements issued by the awarding body
- Teachers will ensure that:
  - There is sufficient supervision of every candidate to enable work to be authenticated
  - The work that an individual candidate submits for assessment is his/her own
- Work may be completed outside of the centre without direct supervision provided that the centre is confident that the work produced is the candidate's own
- Where candidates work in groups, the teacher will keep a record of each candidate's contribution
- The teacher will also:
  - Ensure that candidates understand the need to reference work
  - Give guidance on how to do this, and
  - Ensure that candidates are aware that they must not plagiarise other material

## 6.2 Advice and feedback

- Teachers will not provide model answers or writing frames specific to the task (such as outlines, paragraph headings or section headings)
- Unless specifically prohibited by the awarding body's specification, teachers may:
  - Review candidates' work and provide oral and written advice at a general level
  - Having provided advice at a general level, allow candidates to revise and redraft work
- Any assistance that goes beyond general advice will be recorded and either taken into account when marking the work or submitted to the external examiner
- When marking work, teachers will use annotations to explain how marks were applied in the context of the additional assistance given
- Teachers will not provisionally assess work and then allow candidates to revise it
- Explicitly prohibited assistance will not be given
- Failure to follow this procedure constitutes malpractice

## 6.3 Resources

- Teachers will be aware of the awarding body's restrictions with regard to access to resources
- Unless otherwise specified by the awarding body, in formally supervised sessions candidates can only take in preparatory notes. They will not access the internet nor bring in their own computers or electronic devices
- Candidates will not introduce new resources between formally supervised sessions



- Preparatory work and the work to be assessed will be collected and stored securely at the end of each session and will not be accessible to candidates

## 6.4 Group work

- Unless the specification says otherwise, candidates are free to collaborate when carrying out research and preparatory work
- Where it is permitted, some assignments may be undertaken as part of a group
- Where an assignment requires written work to be produced, each candidate will write up his/her own account of the assignment. Individual contributions will be clearly identified
- Group assessment is not permitted

## 7. Authentication

Teachers will be sufficiently familiar with the candidate's general standard to judge whether the piece of work submitted is within his/her capabilities.

Where required by the awarding body's specifications:

- Candidates will sign a declaration to confirm that the work they submit for final assessment is their own unaided work
- Teachers will sign a declaration of authentication after the work has been completed confirming that:
  - The work is solely that of the candidate concerned
  - The work was completed under the required conditions
  - Signed candidate declarations are kept on file

If there is concern that malpractice may have occurred or the work is unable to be authenticated, the senior leadership will be informed.

## 8. Task marking

### 8.1 Internally assessed work

Teachers are responsible for marking work in accordance with the relevant marking criteria. Annotation will be used to provide evidence to indicate how and why marks have been awarded.

We will inform candidates of internally assessed marks as candidates are allowed to request a review of the centre's marking before marks are submitted to the awarding body.

We will also make it clear to candidates that any internally assessed marks are subject to change during the moderation process.

### 8.2 Externally assessed work

The format of external assessment will depend on the awarding body's specification and the component being assessed.

Teachers will ensure the attendance register is completed, clearly indicating those candidates who are present or absent.

Where candidates' work needs to be dispatched to an examiner, we will ensure it is sent by the date specified by the awarding body.

## 9. Malpractice

The head of centre and senior leaders will make sure teaching staff involved in supervising candidates are aware of the potential for malpractice.

Teachers will familiarise themselves with the [JCQ guidance on sharing assessment material and candidates' work](#).

Teachers will be vigilant in relation to candidate malpractice. Candidates must not:

- Submit work which is not their own
- Make their work available to other candidates through any medium, including social media
- Allow other candidates to have access to their own independently sourced material
- Assist other candidates to produce work
- Use books, the internet or other sources without acknowledgement or attribution
- Submit work that has been word processed by a third party without acknowledgement
- Include inappropriate, offensive or obscene material

Failure to report allegations of malpractice or suspected malpractice constitutes malpractice in itself. Malpractice will be reported to senior leaders or directly to the awarding body.

## 10. Enquiries about results

We will make candidates aware of the arrangements for enquiries about results before they take any assessments.

Senior members of staff will be accessible to candidates immediately after the publication of results so that results may be discussed and decisions made on the submission of enquiries. A review of marking is available for externally assessed components. We will obtain written consent from candidates for reviews of marking, and inform candidates that their marks may be lowered as a result of a review of marking.

A review of moderation is available for internally assessed components only when marks have been changed by an awarding body during moderations. If marks have been accepted without change, this will not be available. A review of moderation is not available for an individual candidate.

## 11. Links with other policies

This policy should be read in conjunction with the assessment policy.

Policy document control box	
Policy title	<b>PSHEE</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• Practice</li> <li>• Legislation/guidance that informs this policy</li> <li>• Other Red Balloon policies that should be read in conjunction with this one</li> </ul>

## 1. Purpose

This policy enshrines that Personal, Social, Health and Economic Education (PSHEE) forms a vital element of Well-Being at Red Balloon. It promotes respect for others and helps to equip students to live healthy, safe, productive, capable, responsible and balanced lives. Red Balloon is committed to providing students with learning experiences that enable them to explore key concepts and to develop the understanding, skills and attributes that are essential for the opportunities, responsibilities and experiences of life.

## 2. Scope

The Headteacher is responsible for ensuring that there is a robust PSHEE curriculum and Scheme of Work. These may be produced, monitored and developed by a designated member of staff (PSHEE Lead).

## 3. Policy statement, provision and safeguards

The Red Balloon PSHEE curriculum is a two-year teaching programme. In addition to the statutory elements contained in the DfE guidance *Relationships Education, Relationships and Sex Education (RSE) and Health Education* (Feb 2019), it incorporates the non-statutory areas of economic well-being and careers guidance, in accordance with the PSHE Association's Programme of Study. The curriculum is underpinned by Schemes of Work, to ensure thorough planning for effective provision.

The Red Balloon PSHEE curriculum comprises three core themes, within which there is overlap and flexibility:

- Physical Health and Mental Well-Being
- Relationships and Sex Education
- Living in the Wider World

Following PSHE Association guidance, within this framework adjustments are made and content is adapted according to the students' development, readiness and needs, to ensure that appropriate learning opportunities are provided. Where relevant, PSHEE objectives may also be delivered and/or augmented outside formal PSHEE lessons. The bespoke nature of Red Balloon's provision enables us to ensure that appropriate and accessible learning opportunities are provided for all students, including those with Special Educational Needs and Disabilities.

To ensure compliance with requirements regarding Fundamental British Values (Updated Guidance, Nov 2014), all students:

- participate in lessons that discuss and evaluate British values (democracy, the rule of law, individual liberty and mutual respect and tolerance)
- learn how the British system of government operates

## 4. Practice

Through formal PSHEE lessons and other learning opportunities (eg. community sessions, individual mentoring), we aim to help students to:

- understand how to stay safe
- follow physically and mentally healthy lifestyles
- make responsible and informed choices
- be independent and self-disciplined learners
- develop positive relationships
- respect others, with particular regard to the protected characteristics defined under the Equality Act (2010)
- respect and value diversity, including challenging prejudice and discrimination
- be prepared for their next placement (eg. mainstream school, college)
- consider career opportunities
- learn how to manage personal finances
- develop an understanding of the economic and business environment
- have a strong understanding of fundamental British values
- understand and respect systems of rules and laws

Under the guidance of the PSHEE Lead, staff work collaboratively on resources and pedagogical approaches to ensure the sharing of good practice. In addition to ongoing informal monitoring and evaluation by staff, Red Balloon seeks feedback from students about PSHEE to help to develop further the quality of provision in this area.

### **Legislation/guidance that informs this policy**

- Relationships Education, Relationships and Sex Education (RSE) and Health Education (DfE, Feb 2019)
- Careers Guidance and Access for education and training providers (DfE, Oct 2018)
- Independent Schools Regulatory Requirements (Jan 2015)
- Guidance on Promoting British Values in Schools (DfE, Nov 2014)
- Equality Act (2010)

### **Other Red Balloon policies that should be read in conjunction with this one**

- Careers Guidance Policy
- Curriculum Policy
- Transition Policy
- Well-Being Policy
- Work Placement Policy

Policy document control box	
Policy title	<b>Safeguarding and Child Protection: North West London Centre</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2022
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement and provision</li> <li>• Policy elements</li> </ul> <p><b>PREVENTION</b></p> <p>Induction and ongoing training CIN (child in need) Child at Risk Prevention of Peer on Peer Abuse</p> <p><b>PROCEDURES</b></p> <p>Liaison with Other Agencies Record Keeping Confidentiality and information sharing Communication with Parents/Carers Dealing with Sexual Violence and Sexual Harassment between children</p> <p><b>SUPPORTING CHILDREN</b></p> <p>Children with Disabilities, Additional Needs or Special Educational Needs Young Carers Children at Risk of Criminal Exploitation Children Frequently Missing Education Fabricated / Induced Illness (FII) Children Misusing Drugs or Alcohol</p>

Children at Risk of Child Sexual Exploitation  
Children Living with Substance Misusing Parents/Carers  
Children Living with Domestic Abuse  
Children at risk of 'Honour- Based' Violence (HBV) including Female Genital Mutilation (FGM) and Forced Marriage  
Children 'looked after' by the local authority  
Children who have returned home to their family from care  
Children showing signs of Abuse and/or Neglect  
Children at Risk of Radicalisation  
Privately Fostered Children  
Children who have Family Members in Prison

PREVENTING UNSUITABLE PEOPLE FROM WORKING WITH CHILDREN

TRUSTEE CHILD PROTECTION RESPONSIBILITIES

- Related legislation and documents
- Other Red Balloon policies to be read in conjunction with this one
- Appendix A: Safeguarding contact details

## Purpose

Red Balloon is committed to meeting all legislative requirements with regard to 'keeping children safe' and complying with all relevant guidance and, therefore, to ensuring that all Red Balloon students are safe at all times, both physically and emotionally.

*Red Balloon staff will always consider the 'best interests of the child' in all areas of practice.*

It is our statutory responsibility to safeguard and promote the welfare of children. We work to ensure that the practice of all staff is of the very highest standard, and that, should there be concerns regarding a student's welfare or safety as a result of events in their home or their community, staff feel confident as to how to respond to those concerns.

Further we seek to ensure that no student is exposed to materials or persons that are likely to lead to that young person becoming radicalised. Red Balloon is clear that radical/extreme views may come from a range of sources: staff aim to protect Red Balloon students from any source that encourages extreme views, acts of violence or destruction.

## Scope

**Child Protection is the legal responsibility of every individual who works or volunteers (in any capacity) for Red Balloon.**

### Policy statement and provision

RBNWL fully recognises the responsibility it has under section 157/175 of the Education Act 2002 to have arrangements in place to safeguard and promote the welfare of children.

This responsibility is more fully explained in the statutory guidance for schools and colleges Keeping Children Safe in Education, updated September 2020. We will ensure that all staff are made aware of their duties and responsibilities under part one of this document.

Through their day-to-day contact with students and direct work with families all Red Balloon staff have a responsibility to:

- identify concerns early to prevent them from escalating;
- provide a safe environment in which children can learn;
- identify children who may benefit from early help;
- know what to do if a child tells them s/he is being abused or neglected;
- follow the referral process if they have a concern.

This policy sets out how managers at Red Balloon will discharge their statutory responsibilities relating to safeguarding and promoting the welfare of children who are provided for by the charity. The policy applies to all staff, paid and unpaid, working anywhere within the organisation, including trustees. Support staff, housekeeping staff and administrators as well as teachers can be the first point of disclosure for a child.

## Policy elements

**There are four main elements to the policy:**



**PREVENTION** through the teaching and pastoral support offered to students and the creation and maintenance of a whole school protective ethos.

**PROCEDURES** for identifying and reporting cases, or suspected cases, of abuse.

**SUPPORTING CHILDREN** particularly those who may have been abused or witnessed violence towards others.

### **PREVENTING UNSUITABLE PEOPLE FROM WORKING WITH CHILDREN**

Processes are followed to ensure that all staff engaged to work for Red Balloon are 'suitable' for the task ie they pose no threat to the welfare, health or safety of young people referred to the organisation.

This policy is available to parents on request and is posted on the charity's website. It is only available in English (language), but should a parent or carer require linguistic support to access the policy, the DSL will liaise with the local authority to ensure appropriate support is made available.

### *PREVENTION*

We recognise that high self-esteem, confidence, supportive friends and good lines of communication with a trusted adult help to protect children.

The organisation will therefore:

- establish and maintain an environment where children feel safe in both the real and the virtual world - all students are encouraged to talk openly and are listened to;
- ensure children know that there are adults in the organisation that they can approach if they are worried or in difficulty and their concerns will be taken seriously and acted upon as appropriate;
- include in the curriculum activities and opportunities which equip children with the skills they need to stay safe from abuse both in the real and the virtual world;
- ensure all students know who to turn to for help should they need it;
- include in the curriculum material which will help children develop realistic attitudes to the responsibilities of adult life, particularly with regard to child care and parenting skills;
- ensure that specific guidance regarding safeguarding, including online safety is included within PSHE (personal, social and health education) and RSE (relationships and sex education ... mandatory from Jan 2021).

*The teaching of 'online safety' will run throughout the work of all staff through the curriculum offered and advice to and ongoing conversations with students re. the best ways to make use of all the benefits of technology without placing themselves at risk of harm.*

### *Induction and ongoing training*

All staff will be taken through a comprehensive induction process in which safeguarding and child protection is a key element. No member of staff will engage in regulated activity until

they have completed this process. As part of that process staff will be required to read, and sign to say that they have read and will implement the requirements of chapter one of Keeping Children Safe in Education, September 2020, together with 'Annex A' of that document, chapter one of Working Together to Safeguard Children, July 2018 (updated 21 February 2019), What to do if you're worried a child is being abused: Advice for Practitioners, March 2015, together with Red Balloon's Safeguarding and Child Protection, Whistleblowing and Behaviour for Learning Policies and the Staff Code of Conduct.

All staff will complete level one child protection training and Prevent training and will update that training as required. The organisation will ensure that all staff are updated re any changes to required practice (local or national) through electronic updates.

Through appropriate training the organisation will ensure that all staff are aware of the need to recognise when children are in need or at risk, are able to distinguish between the two categories, and understand what course of action should be taken when a child is deemed to come into either category.

#### CIN (child in need)

"If staff members have any concerns about a child (as opposed to a child being in immediate danger), they will need to decide what action to take. Where possible, there should be a conversation with the designated safeguarding lead to agree a course of action, although any staff member can make a referral to children's social care. Other options could include referral to specialist services or early help services and should be made in accordance with the referral threshold set by the Local Safeguarding Children Board".

#### Child at Risk

If a child is deemed to be at risk of *immediate* harm, then the DSL must be notified and s/he must make an immediate referral to social care or to the police: should the DSL not be immediately available, the person aware of the situation must make the referral.

#### Keeping Children Safe in Education, September 2020, definitions:

##### A child in need:

"is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989".

##### Child at Risk:

A child at risk is one who is in immediate danger of harm.

#### Keeping Children Safe in Education (September 2020) guidance:

"All staff should be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need)

and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments”.

There is additional information about children who may especially benefit from early help...

“Any child may benefit from early help, but all school and college staff should be particularly alert to the potential need for early help for a child who:

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- is a young carer;
- is frequently missing/goes missing from care or home;
- is misusing drugs or alcohol;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse; and/or
- has returned home to their family from care”.

Options include:

- managing any support for the child internally via the school or college’s own pastoral support processes;
- an early help assessment;
- a referral for statutory services, for example as the child is in need or suffering or likely to suffer harm.”

#### Prevention of Peer on Peer Abuse

We recognise that peer on peer abuse can manifest itself in many ways. This can include, but is not limited to: bullying, cyberbullying, sexual violence, sexual harassment, being coerced to send sexual images (sexting), teenage relationship abuse, upskirting (now a criminal offence... see below), and physical abuse.

**All** forms of peer on peer abuse are unacceptable and will be taken seriously.

The organisation will therefore:

- create a protective ethos in which peer on peer abuse, including sexual violence and sexual harassment will not be tolerated (NB not being tolerated does not imply that perpetrators will be punished or excluded, rather the nil tolerance will be exemplified as described within Red Balloon’s ‘Behaviour for Learning’ policy);
- provide training for staff about recognising and responding to peer on peer abuse, including raising awareness of the gendered nature of peer abuse, with girls more likely to be victims and boys perpetrators;
- ensure that staff do not dismiss instances of peer on peer abuse, including sexual violence and sexual harassment as an inevitable part of growing up;
- include within the curriculum, information and materials that support children in keeping themselves safe from abuse, including abuse from their peers and online;

- provide high quality relationship and sex education (RSE), including teaching about consent;
- ensure that staff members follow the procedures outlined in this policy when they become aware of peer on peer abuse.

Where instances of peer on peer abuse occur, staff will ensure that both the child(ren) seen as victim(s) and those seen as perpetrators receive support. As per Red Balloon's Anti-Bullying and Behaviour for Learning policies, staff will seek to reach mutually beneficial outcomes through conflict resolution procedures enabling all parties to modify their behaviour and to contribute positively to the Red Balloon community.

### Upskirting

Upskirting is a term used to describe the act of taking a sexually intrusive photograph up someone's skirt without their permission. The new law (came into effect April 2019) creates two new offences under the Sexual Offences Act 2003. The new offences apply when:

- without consent, an individual operates equipment or records an image beneath a person's clothing;
- the offender has a motive of either obtaining sexual gratification or causing humiliation, distress or alarm to the victim.

Perpetrators may be imprisoned for two years.

### *PROCEDURES*

Red Balloon staff will work with each relevant CADS and follow procedures required by them.

**The centre's lead for safeguarding and child protection (DSL) is:**

- Cathy Taylor (headteacher) [cathy.taylor@nwl.rblc.org.uk](mailto:cathy.taylor@nwl.rblc.org.uk)

**The following members of staff are also trained to designated person standard:**

- Felicity King [felicity.king@nwl.rblc.org.uk](mailto:felicity.king@nwl.rblc.org.uk)
- Marlon Bruno [marlon.bruno@nwl.rblc.org.uk](mailto:marlon.bruno@nwl.rblc.org.uk)
- [Chris Seymour](#) [chris.seymour@nwl.rblc.org.uk](mailto:chris.seymour@nwl.rblc.org.uk)

**The nominated trustee for safeguarding and child protection is:**

- Thomas Webster [thomas.webster@nwl.rblc.org.uk](mailto:thomas.webster@nwl.rblc.org.uk)

The trustees will:

- appoint a senior member of staff, from the leadership team of each centre, to the role of Designated Safeguarding Lead (DSL);
- ensure that the DSL takes lead responsibility for safeguarding and child protection... whilst the activities of the DSL can be delegated to appropriately trained deputies, (Designated Personnel, DP), the lead responsibility for child protection remains with the DSL and cannot be delegated;
- ensure that the roles of DSL and DP are explicit in the role holders' job descriptions;
- ensure that the DSL has the appropriate status and authority within the school to carry out the duties of the post;
- give the DSL the time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters (see Keeping Children Safe in Education, Sept 2020, Annex B);
- ensure that the DSL and deputies have undertaken the required training and that this training is updated **at least every three years**;
- ensure that in addition to the formal training set out above, the DSL and DPs refresh their knowledge and skills (eg via bulletins, meetings or further reading) **at least annually**;
- ensure that DSLs across all centres have access to peer support;
- ensure that every member of staff, paid or unpaid, and the members of the trustee group know(s) who the designated personnel are and the procedures for passing on concerns - this will be a key element of our induction process;

*(Red Balloon uses the 'My Concern' management information system. All staff will be trained in the use of this system as part of their induction. Staff are required to log a concern immediately. That concern will immediately be flagged up to the centre DSL who will take appropriate action.)*

- ensure that the DSL or DP are available (during school hours, during term-time) to discuss any safeguarding concerns - should there be some unavoidable reason (eg multiple illness) why there is not a trained person on site, staff should contact the head office who will ensure that a person trained to DSL level makes contact with the appropriate member of staff;
- ensure that all staff are aware that they may make direct contact with the appropriate Children's Advice and Duty Service (CADS);
- nominate a trustee for safeguarding and child protection and ensure that person undertakes appropriate training,
- ensure every member of staff and every governor knows:
  - the name of the designated person/s and their role;
  - how to identify the signs of abuse and neglect;
  - how to pass on and record concerns about a student;
  - that they have an individual responsibility to be alert to the signs and indicators of abuse and for referring child protection concerns to the DSL/DP;

- that they have a responsibility to provide a safe environment in which children can learn;
  - where to find the inter-agency procedures on the relevant CADS website;
  - their role in the early help process;
  - the process for making referrals to children's social care;
  - how to use the 'My Concern' management information system effectively.
- ensure all staff members undergo safeguarding and child protection training at induction (as described on p4 of this policy);
  - ensure that staff training is regularly updated and that, in addition to this training, all staff members receive regular safeguarding and child protection updates as required **but at least annually**;
  - ensure that all staff, paid and unpaid, recognise their duty and feel able to raise concerns about poor or unsafe practice in regard to children and that such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed whistle-blowing policies (NB staff will be directed to guidance in para 53, section 1 of Keeping Children Safe in Education 2020 should they feel that any concerns they have have not been appropriately responded to...this includes an updated link to an NSPCC helpline);
  - ensure staff are aware that they do not need parental / carer permission before making a referral;
  - ensure that parents / carers are informed of the responsibility placed on the school and staff in relation to child protection by setting out these duties on the website and informing the parents / carers during initial interviews;
  - ensure that this policy is available publicly via the centre website.
  - In any situation wherein any student is educated 'off site', the centre and the provider will have clear procedures about managing safeguarding concerns between them. Written confirmation that the alternative provider has carried out appropriate safeguarding checks on individuals working at the establishment will be sought by the centre.

#### Liaison with Other Agencies

As described in Keeping Children Safe in Education, 2020, there are revised requirements for multi-agency working. "Schools and colleges have a pivotal role to play in multi-agency safeguarding arrangements. Governing bodies and proprietors should ensure that the school or college contributes to multi-agency working in line with statutory guidance Working Together to Safeguard Children. It is especially important that schools and colleges understand their role in the new safeguarding partner arrangements."

The three safeguarding partners (the local authority; a clinical commissioning group for an area within the local authority; and the chief officer of police for a police area in the local authority area) will make arrangements to work together with appropriate relevant agencies to safeguard and promote the welfare of local children, including identifying and responding to their needs.

The three safeguarding partners have a shared and equal duty to work together to safeguard and promote the welfare of children. To fulfil this role they must set out how they will work together and with any relevant agencies. Relevant agencies are those organisations and agencies whose involvement the three safeguarding partners consider may be required to safeguard and promote the welfare of children with regard to local need. The three safeguarding partners must set out in their published arrangements which organisations and agencies they will be working with and the expectations placed on any agencies and organisations by the new arrangements.

The DSL and safeguarding trustee will ensure that they are fully conversant with the plans of the new safeguarding partners.

RBNWL will:

- work to develop effective links with relevant services to promote the safety and welfare of all students;
- co-operate as required, in line with Working Together to Safeguard Children, July 2018, with key agencies in their enquiries regarding child protection matters including attendance and providing written reports at child protection conferences and core groups;
- notify the relevant Social Care Unit immediately if:
  - ☐ it should decide to exclude a student who is subject to a child protection plan (whether fixed term or permanently);
  - ☐ there is an unexplained absence of a student who is subject to a child protection plan;
  - ☐ there is any change in circumstances to a student who is subject to a child protection plan.
- ensure that, when a student who is subject to a child protection plan moves to another provider, information is transferred to the new provider immediately... the DSL will also ensure that all involved agencies and the CADS are informed.

#### Record Keeping

RBNWL will:

- keep clear, detailed, accurate, written records of concerns about children (noting the date, event and action taken), even where there is no need to refer the matter to Social Care immediately...
- these records will be held on the 'My Concern' management information system (purpose built and secure);
- ensure all relevant child protection records are sent to the receiving school or establishment when a student moves schools in accordance with Keeping Children Safe in Education, September 2020, and the 'Education Child Protection Record Keeping Guidance' - the DSL will consider whether it would be appropriate to share information with the new school/college in advance of a child leaving;
- make parents/carers aware that such records exist except where to do so would place the child at risk of harm;

- ensure all actions and decisions are led by what is considered to be in the **best interests of the child**.

#### Confidentiality and information sharing

The General Data Protection Regulation, 2018, does not prevent school staff from sharing information with relevant agencies, where that information may help to protect a child.

We will:

- ensure staff and volunteers adhere to confidentiality protocols and that information is shared appropriately;
- ensure staff are aware that they have a professional responsibility to share information with other agencies in order to safeguard children (as set out in Information Sharing; Advice for practitioners providing safeguarding services to children, young people, parents and carers, July 2018);
- ensure that if a member of staff receives a Subject Access Request (under the GDPR 2018) from a student or parent, they will refer the request to the DSL or headteacher;
- ensure staff are clear with children that they cannot promise to keep secrets.

The Designated Safeguarding Lead will:

- disclose information about a student to other members of staff on a 'need to know' basis - parental consent may be required.
- aim to gain consent to share information and be mindful of situations where to do so would place a child at increased risk of harm - information may be shared without consent if a person believes that there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner;
- record when decisions are made to share or withhold information, who information has been shared with and why (see Working Together to Safeguard Children, July 2018);
- seek advice about confidentiality from outside agencies if required (see Information Sharing; Advice for practitioners providing safeguarding services to children, young people, parents and carers, July 2018).

#### Communication with Parents/Carers

RBNWL will:

- ensure that parents/carers are informed of the responsibility placed on the centre and staff in relation to child protection by setting out its duties on the organisation's website;



- undertake appropriate discussion with parents/carers prior to involvement of another agency, unless the circumstances preclude this action;
- seek advice from Social Care if the centre believes that notifying parents could increase the risk of harm to the child - particular circumstances where parents **may not** be informed include any disclosure of sexual abuse or physical abuse where the child has an injury;
- record what discussions have taken place with parents or if a decision has been made not to discuss it with parents and record the reasons why - records may subsequently be disclosable to relevant partner agencies if child protection proceedings commence.

#### Dealing with Sexual Violence and Sexual Harassment between children

Red Balloon recognises that sexual violence and sexual harassment can occur between two children of any age and sex. Sexual violence may include rape, assault by penetration or sexual assault. Sexual harassment refers to 'unwanted conduct of a sexual nature', such as sexual comments, sexual taunting, upskirting or physical behaviour such as deliberately brushing against someone. Online sexual harassment may include non-consensual sharing of sexual images and videos, sexualised online bullying, unwanted sexual comments and messages, and sexual exploitation, coercion and threats.

RBNWL will:

- be clear that sexual violence and sexual harassment will not be tolerated;
- provide training for staff on how to manage a report of sexual violence or sexual harassment;
- make decisions on a case-by-case basis;
- reassure victims that they are being taken seriously, offer appropriate support and take the wishes of the victim into account when making decisions;
- implement measures to keep the victim, alleged perpetrator and ,if necessary, other children and staff members, safe;
- record any risk assessments and keep them under review;
- give consideration to the welfare of the victim(s) and perpetrator(s) in these situations;
- liaise closely with external agencies, including police and social care, when required.

Further guidance can be found in Keeping Children Safe in Education - Part Five, September 2020, Sexual violence and sexual harassment between children in schools and colleges, May 2018, and Sexting in schools and colleges: Responding to incidents and safeguarding young people published by the UK Council for Child Internet Safety (UKCCIS).

## SUPPORTING CHILDREN

Red Balloon recognises that **any** child may be subject to abuse and neglect. Red Balloon staff must support all children by:

- providing curricular opportunities to encourage positive self-esteem and self-efficacy;
- creating an ethos that actively promotes a positive, supportive and safe environment and values the whole community;
- applying Red Balloon's Behaviour for Learning policy effectively - staff will agree on a consistent approach, which focuses on the behaviour of the child but does not damage the student's sense of self-worth;
- ensuring that all students know that some behaviours are unacceptable, hence not tolerated, but that they will always be treated respectfully by staff regardless of their behaviour;
- liaising with other agencies that support young people such as Social Care, Child and Adolescent Mental Health Services (CAMHS), Sexual Behaviour Services or early help teams;
- developing productive and supportive relationships with parents/carers.

Red Balloon recognises that **any** child may benefit from early help, but staff are encouraged to consider the wider environmental factors present in a child's life which could pose a threat to their welfare or safety (contextual safeguarding). Staff are required to be particularly alert to the potential need for early help for the following 'categories' of young people.

### Children with Disabilities, Additional Needs or Special Educational Needs

Red Balloon recognises that, statistically, children with additional needs, special educational needs, emotional and behavioural difficulties and disabilities are most vulnerable to abuse. Staff will be encouraged to be particularly aware of the likelihood of abuse in the lives of these children.

As part of the PSHE and RSE curriculum staff will teach children personal safety skills commensurate with their age, ability and needs. Children will be taught personal safety skills such as 'telling' and who to tell, good and bad touches and how to manage risk. The content of lessons will be shared with parents/carers so that these skills can be supported at home.

### Young Carers

Red Balloon recognises that children who are living in a home environment which requires them to act as a young carer for a family member or a friend who is ill, disabled or misuses drugs or alcohol can increase their vulnerability and that they may need additional support and protection.

Staff will seek to identify young carers and offer additional support internally. They will liaise with external agencies as appropriate and refer to Social Care if such referral appears appropriate / supportive.

#### Children at Risk of Criminal Exploitation

Criminal exploitation of children is a form of abuse. It may take many forms, but invariably involves adults or other children encouraging / forcing / bribing children to engage in criminal activity on their behalf e.g. drug networks or gangs exploit children and young people to carry drugs and money from urban areas to suburban and rural areas. Exploitation can occur even if the activity appears to be consensual.

Staff will be trained to be aware of child criminal exploitation to include developments in 'County Lines' activity, and will follow the procedures outlined in this policy if concerns of criminal exploitation arise.

The DSL will complete the Local Safeguarding Children Partnership (LSCP) Child Exploitation Checklist and refer to the Multi-Agency Safeguarding Hub (MASH) if there is a concern that a young person may be at risk of criminal exploitation.

Red Balloon recognises that young people who go missing can be at increased risk of child criminal exploitation and/or trafficking and has procedures in place to ensure appropriate response to children and young people who go missing, particularly on repeat occasions (see below).

#### Children Frequently Missing Education

When a child 'goes missing', particularly repeatedly, that should act as a warning sign of a range of safeguarding possibilities including abuse, neglect, child sexual exploitation, child criminal exploitation, mental health problems, risk of substance abuse, risk of travelling to conflict zones, and risk of FGM (female genital mutilation) or forced marriage.

Red Balloon monitors attendance of individual students closely, as outlined in its Attendance Policy, and analyses patterns of absence to aid early identification of concerning patterns of absence.

Red Balloon aims to hold more than one emergency contact for each student to provide additional options to make contact with a responsible adult when a child missing education is identified as a welfare and/or safeguarding concern.

When a child is missing from education, Red Balloon follows Children Missing Education guidance. Centres will inform the Education Welfare Service and Social Care if a missing child is subject to a Child Protection Plan or there have been ongoing concerns.

#### Fabricated / Induced Illness (FII)

FII is a rare form of child abuse. It occurs when a parent or carer, usually the child's biological mother, exaggerates or deliberately causes symptoms of illness in the child and understands that it is a form of child abuse. Red Balloon will:

- ensure that the designated safeguarding lead is trained to recognise and respond appropriately should suspicions arise, no matter how far-fetched they appear;
- promote awareness of FII through training and access to resources;
- ensure that the signs and indicators are known and recognised by staff and that unexplained absences are recorded and explored further;

- ensure that, where appropriate, pupils are encouraged to seek help and support about concerns they may have;
- ensure that all staff are aware that any suspicions should be reported to the designated safeguarding lead;
- understand that sharing information with parents or carers may not be appropriate and ensure that decisions of this nature are made by Children's Social Care or the police.

#### Children Misusing Drugs or Alcohol

The discovery that a young person is misusing legal or illegal substances or reports of their substance misuse are not necessarily sufficient of itself to initiate child protection proceedings, but the centre will consider such action when there is evidence or reasonable cause to:

- believe the young person's substance misuse may cause him or her to be vulnerable to other abuse such as sexual abuse;
- believe the young person's substance related behaviour is a result of abuse or pressure or incentives from others, particularly adults;

or where:

- the misuse is suspected of being linked to parent/carer substance misuse;
- the misuse indicates an urgent health or safeguarding concern;
- the child is perceived to be at risk of harm through any substance associated criminality.

#### Children at Risk of Child Sexual Exploitation

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Sexual exploitation can take many different forms from a seemingly 'consensual' relationship to serious organised crime involving gangs and groups. Potential indicators of sexual exploitation will be addressed within staff training, including raising awareness with staff that some young people who are being sexually exploited do not show any external signs of abuse and may not recognise it as abuse. Staff will follow the procedures outlined in this policy if concerns of child sexual exploitation arise.

The DSL will complete the Local Safeguarding Children Partnership (LSCP) Child Exploitation Checklist and refer to the Multi-Agency Safeguarding Hub (MASH) if there is a concern that a young person may be at risk of sexual exploitation.

Young people who go missing can be at increased risk of sexual exploitation, hence the centre has procedures in place (described above) to ensure appropriate response to children and young people who go missing, particularly on repeat occasions.

## Children Living with Substance Misusing Parents/Carers

Misuse of drugs and/or alcohol is strongly associated with significant harm to children, especially when combined with other features such as domestic violence.

Should staff become aware that any of the following factors are present:

- use of the family resources to finance the parent's / parents' dependency, characterised by inadequate food, heat and clothing for the children;
- exposure of the young person to unsuitable caregivers or visitors eg customers or dealers;
- the effects of alcohol on parents/carers leading to an inappropriate display of sexual and/or aggressive behaviour;
- drug and / or alcohol use by parents/carers leading to emotional unavailability, irrational behaviour and reduced parental vigilance;
- disturbed moods on the part of parents/carers as a result of withdrawal symptoms or dependency;
- unsafe storage of drugs and/or alcohol or injecting equipment in the home;
- drugs and/or alcohol having an adverse impact on the growth and development of an unborn child...

then referral will be made to the appropriate LSCP.

## Children Living with Domestic Abuse

Domestic abuse is defined as any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse: psychological, physical, sexual, financial and emotional.

Where there is domestic abuse in a family, the children will always be affected; the longer the violence continues, the greater the risk of significant and enduring harm, which they may carry with them into their adult life and relationships. Domestic abuse can also affect children in their personal relationships as well as in the context of home life.

Staff will be trained to be vigilant to signs of domestic abuse and will always refer to appropriate agencies should they consider that there is evidence of such abuse taking place. The DSL will either engage in specific training regarding domestic abuse or ensure another member of staff is appropriately trained.

The centre will vigilantly monitor the welfare of children living in domestic abuse households, offer support to them and contribute to any Multi-Agency Risk Assessment Conference (MARAC) safety plan as required.

## Children at risk of 'Honour- Based' Violence (HBV) including Female Genital Mutilation (FGM) and Forced Marriage

The term 'honour-based' violence encompasses incidents which have been committed to protect or 'defend the honour' of a family and/or community, including breast ironing, female genital mutilation and forced marriage. DSLs will ensure that all staff are made aware of the possible signs and indicators that may alert them to the possibility of HBV through training. Staff are required to treat all forms of HBV as abuse and follow appropriate procedures.

FGM is a procedure involving the partial or total removal of the external female genitalia or other injury to the female genital organs. FGM is illegal in the UK. Where there is any indication that a child is at risk of FGM, or where FGM is suspected to have been carried out, staff will take action in accordance with the child protection procedures outlined in this policy. Staff will report concerns to the DSL, who will make appropriate and timely referrals to Social Care. In such cases parents will not be informed before advice is sought and the case will still be referred to Social Care even if it is against the student's wishes.

In accordance with the Female Genital Mutilation Act, it is a statutory duty for teachers in England and Wales to report 'known' cases of FGM in children (ie those under the age of 18) to the police. Teachers should still consider and discuss any such case with the DSL and involve Social Care as appropriate, but the teacher will personally report to the police that they believe that an act of FGM has been carried out.

#### Children 'looked after' by the local authority

Red Balloon recognises that looked after children may be more vulnerable to abusive behaviour from others and may have additional needs resulting from their life experiences. Centres will liaise with local authority virtual schools for looked after children and work with local authority staff to ensure children are supported and 'kept safe' wherever possible. Centres will work with carers as they would with all parents to ensure 'wrap around' support.

#### Children who have returned home to their family from care

Red Balloon recognises that a previously looked after child potentially remains vulnerable. The centre will vigilantly monitor the welfare of previously looked after children, keep records and notify Social Care as soon as there is a recurrence of a concern.

#### Children showing signs of Abuse and/or Neglect

Abuse or neglect will almost certainly have an adverse impact on those children who experience it. This may last into adulthood unless there is appropriate intervention and support. School may be the only stable, secure and predictable element in the lives of children at risk. Children who have experienced abuse or neglect may subsequently behave in ways that are challenging and defiant or passive and withdrawn. Red Balloon recognises that children may develop abusive behaviours and that these children may need to be referred on for appropriate support and intervention.

The organisation will provide training for staff to ensure that they have the skills to identify and report cases, or suspected cases, of abuse in accordance with the procedures outlined in this policy.

#### Children at Risk of Radicalisation

Red Balloon recognises that children may be vulnerable to extremist ideology and radicalisation and that protecting children from this risk forms part of the organisation's safeguarding response.

Red Balloon management will ensure that all DSLs and safeguarding trustees have undertaken Prevent awareness training and that all staff receive training about their Prevent duty.

Through appropriate training we will ensure that staff are alert to changes in children's behavior which could indicate they need help or protection. Concerns that a child is at risk of radicalisation must be referred to the DSL in the usual way. If appropriate, the DSL will make a Channel referral.

Further information is available in The Prevent Duty, Departmental Advice for Schools and Childcare Providers, June 2015, and Revised Prevent Duty Guidance: for England and Wales, July 2015.

#### Privately Fostered Children

Private fostering is when a child under the age of 16 (under 18 if disabled) is provided with care and accommodation for 28 days or more by a person who is not a parent, person with parental responsibility for them or a relative.

The centre (through the DSL) will follow the mandatory duty to inform the local authority of any 'Private Fostering' arrangements.

#### Children who have Family Members in Prison

All centres are committed to supporting children and young people who have a parent or close relative in prison and will work with the family to find the best ways of supporting the child.

Children with family members in prison are usually at significant risk of poverty, stigma, isolation, poor mental health and poor attendance.

The centre will treat information shared by the family in confidence and it will be shared on a 'need to know' basis.

The centre will work with the family and the child to minimise the risk of the child not achieving their full potential.

#### PREVENTING UNSUITABLE PEOPLE FROM WORKING WITH CHILDREN

The centre will operate safer recruitment practices including ensuring appropriate DBS and reference checks are undertaken according to part three of Keeping Children Safe in Education, September 2020 . Red Balloon has a separate Safe Recruitment policy that should be read in conjunction with this policy and provides greater detail regarding the organisation's commitment to ensuring that no one working for the organisation poses any threat whatsoever to the welfare of its students.

All interviewing panels will include at least one person who has undertaken up to date safe recruitment training, and all recruitment processes will be overseen by an appropriately trained member of staff.

*The following members of staff have undertaken safer recruitment training:*

- **Cathy Taylor (headteacher)**
- **Felicity King (deputy)**
- **[Chris Seymour](#) (lead outreach teacher)**
- **Joan Reilly (administrator)**

Any allegation of abuse made against a member of staff will be reported straight away to the headteacher. In cases where the headteacher is the subject of an allegation, it will be reported to the chair of trustees. The centre will subsequently follow the procedures set out in part four of Keeping Children Safe in Education, Sept 2020.

The centre will consult with the 'Local Authority Named Senior Officer' in the event of an allegation being made against a member of staff and adhere to the relevant procedures set out in Keeping Children Safe in Education, Sept 2020.

Independent schools (centres are registered as such) are under a duty to consider making a referral to the TRA (Teaching Regulation Agency) where a teacher has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be appropriate. The reasons such an order would be considered are: 'unacceptable professional conduct', 'conduct that may bring the profession into disrepute' or a 'conviction, at any time, for a relevant offence'. If advice is required as to whether an allegation against a teacher is sufficiently serious to warrant referral to the TRA, staff will consult 'Teacher misconduct: the prohibition of teachers (October 2015)' and/or the Teaching Regulation Agency website.

The Local Authority Named Senior Officer will liaise with the Local Authority Designated Officer (LADO) ensuring that all allegations are reported to the LADO within one working day. Following consultation with the LADO, the Local Authority Named Senior Officer will decide on all further action to be taken.

As required by Keeping Children Safe in Education, Sept 2020 if an allegation is made against anyone working at a Red Balloon Centre, every effort will be made to eradicate all unnecessary delays. Centres will not undertake their own investigations of allegations without prior consultation with the LADO(s), or in the most serious cases, the police, so as not to jeopardise statutory investigations. In borderline cases, discussions with the LADO(s) can be held informally and without naming the school or individual.

We will report promptly to the DBS any person (whether employed, contracted, a volunteer or student) whose services we have ceased to use because their practice has met the DBS referral criteria ie they have caused harm or posed a risk of harm to a child.

As detailed in Keeping Children Safe in Education, Sept 2020 'ceasing to use a person's services' includes: dismissal; non-renewal of a fixed-term contract; no longer engaging/refusing to engage a supply teacher provided by an employment agency; terminating the placement of a student teacher or other trainee; no longer using staff employed by contractors; no longer using volunteers; resignation; and voluntary withdrawal from supply teaching, contract working, a course of initial teacher training, or volunteering. Those staff compiling reports will seek to include as much evidence about the circumstances of the case as possible. Failure to make a report when required constitutes an offence. 'Compromise agreements' cannot be used to prevent a referral being made to the DBS when it is legally required, nor can an individual's refusal to cooperate with an investigation. Proprietors of independent schools have a legal duty to respond to requests from the DBS for information they hold already, but they do not have to find it from other sources.

The school will ensure that any disciplinary proceedings against staff relating to child protection matters are concluded in full even when the member of staff is no longer employed at the school and that notification of any concerns is made to the relevant authorities and professional bodies and included in references where applicable.

Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly, and consistently and to be kept informed of its progress. Suspension is neither



mandatory, nor automatic but, in some cases, staff may be suspended where this is deemed to be the best way to ensure that children are protected.

It is recognised that a child may make an allegation against an innocent party, possibly because they are too afraid to name the real perpetrator. It is rare for a child to make an entirely false or malicious allegation, although misunderstandings and misinterpretations of events do happen. Although all allegations will be rigorously investigated, and staff may be suspended during those investigations, the principle of innocence until guilt is proven remains paramount.

The centre will ensure that all staff, paid and unpaid, are aware of the need for maintaining appropriate and professional boundaries in their relationships with students and parents/carers as advised within the organisation's Code of Conduct. As part of the induction process, all staff will receive guidance about how to create appropriate professional boundaries (in both the real and virtual world) with all children.

The DSL will ensure that staff and volunteers are aware that sexual relationships with students aged under 18 are unlawful and could result in legal proceedings being taken against them under the Sexual Offences Act 2003 (Abuse of Position of Trust).

The DSL and safeguarding trustee will further ensure that all communication between students and adults, by whatever method, is transparent, takes place within clear and explicit professional boundaries and is open to scrutiny.

## **TRUSTEE CHILD PROTECTION RESPONSIBILITIES**

Centre trustees fully recognise their responsibilities with regard to child protection and safeguarding and promoting the welfare of children. They work jointly with the DSL through the nominated trustee to ensure that the policies, procedures and training in the centre are effective and comply with the law and government guidance at all times.

In meeting their responsibilities / legal duties they will:

- nominate a governor for safeguarding and child protection who will take leadership responsibility for the centre's safeguarding arrangements and practice and champion child protection issues;
- ensure an annual report is made to the full governing body (and copied to the appropriate Education Child Protection Service where that is required) - any identified weaknesses / shortcomings identified through scrutiny of this report will be rectified without delay;
- ensure that this Safeguarding and Child Protection policy is annually reviewed and updated, shared with staff and available on the centre website;
- check that children's exposure to potential risks while using the internet is limited by having in place age appropriate filtering and monitoring systems;
- ensure children's wishes and feelings are taken into account where there are safeguarding concerns.

## **Related legislation and documents**

- External Documents
  - Children Act (Gov. UK 1989)
  - Children Act (Gov. UK 2004)
  - General Data Protection Regulation - GDPR (May 2018)
  - Human Rights Act (Gov. UK 1998)

- Education Act (Gov. UK 2002)
- Education and Skills Act (Gov. UK 2008)
- Sexual Offences Act (Abuse of Trust) ( Gov. UK 2003)
- Female Genital Mutilation Act (Gov. UK 2003)
- Information Sharing; Advice for practitioners providing safeguarding services to children, young people, parents and carers (Gov.UK July 2018)
- Counter-terrorism and Security Act (Gov.UK 2015)
- Keeping Children Safe in Education - KCSiE (Gov.UK Sept 2020)
- Revised Prevent Duty Advice for Schools (Prevent Duty Guidance: for England and Wales Gov.UK (July 2015)
- Children Missing Education (Gov.UK Sept 2016)
- Teacher misconduct: the prohibition of teachers (Gov.UK October 2015)
- Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (Gov.UK July 2018)

### **Other Red Balloon policies to be read in conjunction with this one**

- Safe Recruitment
- Whistleblowing
- Esafety
- Attendance
- Dealing with Allegations of Abuse against Staff
- Student Wellbeing and Personal Development
- Behaviour for Learning
- Anti-Bullying
- Staff Code of Conduct
- Data Protection

## **Appendix A: Safeguarding contact details**

### **Contact details for Safeguarding Referrals**

#### **Brent**

Brent Family Front Door: 020 8937 4300 (option 1)

Emergency duty team: 020 8863 5250.

#### **Barnet**

Telephone: 020 8359 4066

#### **Ealing**

ECIRS on: (020) 8825 8000

#### **Harrow**

Harrow Children's Services: 020 8901 2690

#### **Hertfordshire**

Safeguarding Children's Partnership: 0300 123 4043

#### **Hillingdon**

Multi-agency safeguarding Hub (MASH): 01895 556 633

Policy document control box	
Policy title	<b>Safe Recruitment</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement and provision</li> <li>• Responsibility for Implementation</li> <li>• Statutory requirements</li> <li>• Practice</li> <li>• Checks on new staff</li> <li>• Recruitment procedure:</li> <li>• Advertising</li> <li>• Longlisting</li> <li>• Shortlisting</li> <li>• Post shortlisting and pre-interview</li> <li>• Interview</li> <li>• Appointment</li> <li>• Pre-employment checks</li> <li>• Procedures applied to trustees:</li> <li>• Procedures for agency staff:</li> <li>• Procedures for volunteers:</li> <li>• Any instances where students are to be supervised by staff from another organisation:</li> <li>• Contractors working on any site:</li> <li>• THE SINGLE CENTRAL REGISTER – THE LEGAL REQUIREMENTS</li> <li>• Related legislation and documents</li> </ul>

## Purpose

Red Balloon is committed to ensuring that all children accessing our provision remain safe. A key element of this commitment is the organisation's policy and practice regarding the recruitment and retention of staff, trustees and volunteers.

## Scope

This policies governs the appointment of all RBNWL employees (permanent and temporary) and volunteers (including trustees).

## Policy statement and provision

### *Responsibility for Implementation*

The DSL (designated safeguarding lead) and nominated trustee are responsible for ensuring good safe recruitment practice i.e. that no 'unsuitable' person is employed by Red Balloon or works as a trustee or volunteer.

### *Statutory requirements*

The Safeguarding Vulnerable Groups Act (2006) established the Independent Safeguarding Authority (ISA) to make decisions about individuals who should be barred from working with children and to maintain a list of these individuals. The Protection of Freedoms Act (2012) merged the ISA with the Criminal Records Bureau (CRB) to form a single, new, non-departmental public body called the Disclosure and Barring Service (DBS).

Under the Safeguarding Vulnerable Groups Act (2006) it is an offence for an employer to knowingly employ someone in a regulated position if that person is barred from such work. It is also an offence for the individual who has been barred to apply for a regulated position (one which involves spending regular time working with children).

The Protection of Freedoms Act (2012) reduced the scope of 'regulated activity' by focusing on whether the work is unsupervised (in which case it counts as 'regulated activity') or supervised. The new definition of regulated activity came into force on 10 September 2012 and was issued in conjunction with guidance on the level of supervision required to take work out of the scope of regulated activity.

The Safeguarding Vulnerable Groups Act (2006) also imposed the legal requirement on employers to refer to the ISA (now DBS) information about employees or volunteers who (may) have harmed children while working for them.

In 2013 (updated on numerous occasions, most recently September 2020) the DfE issued further statutory guidance: 'Keeping Children Safe in Education'. Compliance with this guidance (for independent schools) is required under section 157 of the 2002 Education Act.

## Practice

As required within this statutory guidance, Red Balloon will ensure that it:

"operates safe recruitment procedures including making sure that statutory duties to check staff who work with children are complied with and statutory guidance relating to volunteers is followed" ... and, "that proportionate decisions are taken on whether to require any

checks beyond that and recruitment panel members are properly trained”.

Red Balloon will ensure that in pursuing safe recruitment procedures it does not discriminate against anyone for reasons of disability. In accordance with the 2010 Equality Act we will do all that we can to ensure any applicants with a disability suffer no discrimination whatsoever, and that, should they be appointed, they are supported to carry out their duties effectively (See Disability and Discrimination Policy).

**Red Balloon will ensure that no person who is known to pose a risk of harm to children engages in any ‘regulated activity’ or is engaged by the organisation in any role regardless of whether that role involves engagement in regulated activity.**

Regulated activity is defined as ‘having the opportunity for contact with children’, specifically through:

- teaching, training, caring or supervising young people to include all work carried out within a school;
- providing advice or guidance on the wellbeing of young people;
- driving a vehicle that is being used solely for the purpose of transporting young people.

#### *Checks on new staff*

DfE regulations for schools contain a statutory duty that schools must obtain a barred list check with an enhanced criminal records check for newly appointed staff. The DBS check is only statutorily required for staff who within the three months before their appointment have not worked in:

- a school in England in a post which brought them into regular contact with children or any post they were appointed to since 12 May 2006;
- an FE college in England in a position which involved the provision of education and regularly caring for, training, supervising or being in sole charge of children or young people under the age of 18...

but, whilst an employee may begin employment, Red Balloon practice is that, unless the DBS is portable, a new DBS will be applied for and a barred list check will always be carried out (even for staff transferring from current employment in regulated activity).

KCSiE (Sept 2020) states that: “There are certain circumstances where schools and colleges may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity. This is set out in DBS workforce guides, which can be found on GOV.UK. Employers are not legally permitted to request barred list information on a supervised volunteer as they are not considered to be engaged in regulated activity”.

## **Recruitment procedure:**

#### *Advertising*

- Careful consideration should be given to the advert for the role. These must be enticing, engaging and exciting for the reader whilst at all times being truthful and honest. The advert should contain such details as location, summary of the role, pay band/grade and how to apply.

- Suitable discussion must be had and recorded to show where the advert will be placed. Consideration should be given to whether to just use free recruitment sites or whether to pay for the adverts to attract a different calibre of candidate.
- Ensure it steers clear of any wording the employer is unsure about or thinks might be open to legal challenge. Apart from in very limited and lawful exemptions and exceptions, the advertisement must not discriminate on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex (gender) and sexual orientation.
- No one should ever be appointed just on the basis of their CV. Application forms must be completed by each person wishing to be considered for a role within Red Balloon.
- The application process should be clear and concise and easy to follow, making effective use of such things as Job Descriptions, candidate briefing papers, applicant letter from the Headteacher, annual reports and Red Balloon websites. Care should be given to ensuring the accuracy and veracity of all aspects of the advert.
- Wherever possible, all vacancies will be advertised simultaneously both internally (in all Centres and on the relevant Red Balloon website) and externally. Steps will be taken to ensure that knowledge of vacancies reaches under-represented groups.
- All vacancy advertisements will include an appropriate statement on equality and diversity.

#### *Longlisting*

- All equalities and monitoring forms must be removed and filed separately before any longlisting occurs.
- For roles attracting a large number of applicants, usually viewed as 40 or more, a longlisting process can be used to sift the initial tranche of application forms. This process can include such simple details as to whether the form was completed correctly, a large presence of spelling mistakes, a very short personal statement section or where all of the required forms are not returned. This process can be omitted if applicant numbers are manageable.

### **Shortlisting**

- All applicants who remain in the process at this stage, after the possible use of the longlisting process will be scrutinised via the candidate shortlisting grid. Candidates will have just their initials entered across the top and all the relevant person specification required will be listed down the side. Ideally it will be the interview panel who individually complete this grid and then meet to discuss notes, findings and who they want to call for an interview. Ideally, for a day of interviews, no more than seven candidates should be called. Consideration should be given to extend the interview to two days if more than seven are shortlisted. Alternatively, the shortlisting team can revisit the criteria and reduce the number of candidates down further.
- Every shortlisted candidate should show no gaps in their employment - care must be taken by anyone involved in shortlisting to ensure that any gaps are noted and marked for question and clarification with the relevant candidates.

### **Post shortlisting and pre-interview**

- All shortlisted candidates will be contacted and invited to interview. Candidates that have not been shortlisted should be contacted to say that they have been unsuccessful. The interview panel, together with the HR team should decide if just an interview on its own will provide enough information for them to choose the right candidate(s). Consideration should be given to the use of one or more of the following:
  - A presentation by the candidate to the panel
  - A written exercise to be completed at interview
  - An observed lesson/programme
  - A psychometric test
  - A group exercise
  - An in-tray/time management exercise
  - Any other suitable test or method to gain valuable insights into the candidate's ability to deliver on the role.
- All candidates must receive any relevant paperwork regarding the interview process and what will be expected of them, in a timely and accurate manner. The HR team and recruiting staff must be careful to avoid any jargon or wording which only an existing staff member would understand.
- A suitable list of questions should be written to ensure the candidates are able to demonstrate their knowledge, skills, attitude and experience to be successful in post. The questions should cover a range of topics and scenarios specific to the advertised role and MUST contain at least one Safeguarding question and ALSO a question which ensures any issues as noted on a DBS check are explored.
- A pack containing all shortlisted application forms and relevant applicant details should be produced for each panel member. This should also include a blank questions template onto which the candidate's answers are recorded. Best practice is that notes taken from an interview are hand written and not input onto a laptop.

## **Interview**

- The interview panel must consist of at least two, though ideally three staff/trustees. One of the panel MUST be trained in Safer Recruitment training. A suitable introduction should be given by one of the panel to ensure each candidate is aware of the process and how the interview will be conducted alongside standard safety/fire safety instructions.
- Each of the panel should use their question template to record the candidate's answers. Panel members should not write down any scores to questions whilst with any candidate. Care should be taken to shield the questions from the candidates. Each candidate should not be able to see any paperwork about any other candidates.
- Candidates should be given the chance to ask their own questions at the end of the interview. They should also be told what the next steps are and when they are likely to hear the outcome of their interview

## **Appointment**

- All interviewed candidates should be contacted with their outcome - ideally the successful candidate first. This allows for a regrouping and reconsideration of other candidates if the successful person turns down the offer.



## Pre-employment checks

Any offer of employment will be made subject to the satisfactory completion of pre-employment checks. The chair of the interviewing panel will ensure that the following actions are pursued:

- Verify the candidate's identity - photographic ID and proof of address should be seen except where, for exceptional reasons, none is available - the DBS requires that a person's identity has been properly verified for the purposes of an application for an enhanced criminal records check.
- Check (prior to appointment) that the qualifications required for the post are held by the applicant.
- Verify the person's right to work in the UK - if there is uncertainty about whether an individual needs permission, then the UK Border Agency's immigration enquiry bureau at [UKBApublicenquiries@ukba.gsi.gov.uk](mailto:UKBApublicenquiries@ukba.gsi.gov.uk) will be contacted.
- If the disclosure is not considered sufficient to establish suitability to work in a school (because it would not cover offences committed abroad, but only those on the police national computer), obtain whatever evidence of checking is available from the person's country of origin (or any other countries in which he or she has resided) and do this before the appointment is made. There is no definite specification as to how long the applicant would need to have lived outside the UK for such checks to be sought... but the NSPCC advises three months, and Red Balloon will follow that advice (NB The Home Office has published updated guides on what checks are available from different countries - a UK national returning after working in a foreign country should be asked to obtain a certificate of good conduct or equivalent from the country in question - extra references should be requested for applicants from countries which do not provide criminal record checks).
- Access an enhanced DBS check.
- Verify the candidate's medical fitness - it is the statutory responsibility of employers to satisfy themselves that individuals have the appropriate level of physical and mental fitness before an appointment offer is confirmed. Potential appointees will be asked to complete a form asserting they are physically and mentally able to meet the requirements of the post for which they have applied.
- Ensure a prohibition check is pursued - QTS (Qualified Teacher Status) is not a requirement for teachers in the independent sector, but schools must now check that anyone employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State - the check is completed via the secure access portal on the 'Teacher Services' webpage, and can be undertaken on individuals who do not have QTS by searching by name on the list of banned people (this applies to those appointed to teach on or after 1 April 2012). Any prohibition from work made by the now defunct GTCE (General teaching Council for England) remains current and any position who has been subject to disciplinary proceedings by that body will not be considered for work within the organisation.

- Check (from 18.01.16 ) whether any ‘teacher restrictions’ have been imposed by any European Economic Area (EEA) Authorities responsible for regulating the teaching profession.. Restrictions imposed by other EEA authorities do not prevent an individual from taking up a teaching position in England, but any Red Balloon recruitment panel will consider the restriction when considering a candidate’s suitability for appointment.

*The above checks will be completed before a person takes up a position. An enhanced disclosure must be obtained before, or as soon as practicable after, appointment. Pending arrival of an enhanced disclosure, the proprietor of a centre has the discretion to employ the person with appropriate safeguards, provided those safeguards (eg supervision) are clearly stated, the postholder is informed of the safeguards and they are reviewed at fortnightly intervals. A note must be placed on the SCR to this effect.*

References will always be sought prior to appointment. KCSiE (Sept 2020) states that: “The purpose of seeking references is to obtain objective and factual information to support appointment decisions. References should always be obtained and scrutinised and any concerns resolved satisfactorily, before the appointment is confirmed, including internal candidates”.

Two references will be taken up, ideally before the interview, including a request for any reason why the applicant should not be employed for work with children. If a reference is taken over the telephone, detailed notes will be taken, dated and signed. A subsequent hard copy will also be requested. References will be read on receipt to check that all specific questions have been answered satisfactorily, with appropriate follow-up where required. References not received in good time before appointment will be chased by telephone and alternative referees sought if needed.

References sent by email should come from a business account. If the provider does not have access to a business account and uses a personal ‘server’ (eg they may be retired), then telephone calls will be made to ascertain the legitimacy of the provider and the reference.

Where there have been gaps in an applicant’s employment history, the appointing panel must satisfy themselves, either through references or at interview, that the reason(s) for those gaps is / are legitimate.

Should a reference (or references) arrive after the interview and indicate gaps in service or any other issue that requires further interrogation, then a member of the interviewing panel will meet with the potential appointee to seek confirmation regarding their suitability for appointment.

All posts will be offered initially on a probationary period. If there are any concerns, particularly of any threat to students’ welfare or safety, then employment may be terminated immediately during that period. If the probationary period is successfully completed, then the employee will move on to a permanent contract providing appropriate employment rights. Were there subsequently to be concerns re practice, they would be dealt with through the charity’s identified processes (see ‘Safeguarding’, Whistleblowing’ and ‘Dealing with Allegations of Abuse against Staff’ policies).

Red Balloon will refer anyone who has harmed or is considered to pose a risk of harm to a child and who has been removed from working (paid or unpaid) in regulated activity, or

would have been removed had they not left, to the DBS. “The legal duty to refer applies equally in circumstances where an individual is deployed to another area of work that is not regulated activity, or they are suspended” (KCSiE Sept 2020) .

Staff in a management position will be checked to ensure that they are not barred from holding a management position. The regulations state that this applies to:

- headteachers,
- staff on the leadership team (including non teaching staff),
- teaching posts with departmental headship.

#### *Procedures applied to trustees:*

The chairs of trustees, together with all full members of the trustee groups, will be subject to an enhanced DBS check. Checks will be carried out prior to appointment, or as soon as practicable after appointment.

Any new trustee will be checked against the new ‘prohibition from management’ list: It is noted that, “A section 128 direction also prohibits a person from taking up a position as governor (trustee) of a maintained school” (KCSiE Sept 2020).

#### *Procedures for agency staff:*

Red Balloon will always seek written notification from any agency provider that they have carried out the checks required by DfE regulations (identity, enhanced disclosure, right to work in the UK, DBS check, prohibition, qualifications, overseas checks, plus, in line with KCSiE advice, two references, declaration of medical fitness, check of previous employment history). An entry will be made on the SCR to indicate that these checks have been made. Regardless of assurances from an agency that a DBS check has been carried out, we will always require direct sight of the person’s DBS check.

#### *Procedures for volunteers:*

Red Balloon understands that it is not allowed to check supervised volunteers against the barred list, and that there is no duty for an enhanced criminal records check to be obtained, although a headteacher may take the decision that it is prudent to seek such a check. KCSiE (Sept 2020) advises that, “schools and colleges may choose to carry out an enhanced DBS check, without barred list information, in certain circumstances”. Given the nature of the Red Balloon student cohort we will always seek an enhanced DBS check.

The headteacher (or a member of staff to whom that responsibility is delegated) will undertake a risk assessment and utilise her/his professional judgement and experience to decide whether further checks should be sought in the case of all volunteers.

In reaching that decision s/he should consider:

- the nature of the work with children;
- what the establishment knows about the volunteer including formal or informal information offered by staff, parents and other volunteers;
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability.

If a volunteer is to work in regulated activity, then the coordinator must decide what supervisions are required. The person carrying out such supervision must:

- be in regulated activity themselves;
- provide that supervision regularly on a 'day to day' basis.

The headteacher must assure her/himself that the level of supervision is, "reasonable in all the circumstances to ensure the protection of children" (KCSiE Sept 2020).

*Any instances where students are to be supervised by staff from another organisation:*

In any such circumstance the DSL will seek proof from the other organisation, be that school or other agency, that appropriate checks have been sought regarding any staff supervising regulated activity.

If another 'provider' (eg activity centre, stables, gymnasium) is to be used, written confirmation must be sought and received and filed from that provider confirming that all staff have been appropriately checked.

Red Balloon is fully aware that we remain responsible for the safeguarding arrangements for our students at all times, regardless of whether we place them with other organisations for any period of time.

*Contractors working on any site:*

If contractors are working on-site where Red Balloon students are in attendance and they do not have a DBS check, appropriate risk assessments will be carried out and assurances sought from the employer that the contractors pose no threat to the safety of students. All efforts will be made to ensure that contact with students is kept to an absolute minimum and that students are made aware of their own responsibilities to pursue 'safe behaviour'. Should there be any concern whatsoever regarding the behaviour of a contractor (in terms of their engagement with students), then that person will be asked to leave the site immediately and the employer asked to provide different personnel to complete the work programme.

## **THE SINGLE CENTRAL REGISTER – THE LEGAL REQUIREMENTS**

Schools must keep a single central record so they have evidence to demonstrate to inspectors that they have carried out the range of checks required by the law. A copy of the documents used to verify the successful candidate's identity, right to work and required qualifications will be kept within a file that is maintained for that member of staff. Schools do not have to keep copies of vetting documents in order to fulfil the duty of maintaining the single central record.

An entry will be made for all current members of staff, the trustee group, the proprietor and any individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

KCSiE (September 2020) states that the SCR may be kept in paper or electronic format. We will record the SCR electronically, but will ensure it can be printed should inspectors require that.

For independent schools The Education (Independent School Standards) (England) Regulations (2014) describe the requirements of the SCR.

## **Related legislation and documents**

### External Documents

Children Act (Gov. UK 1989)  
Children Act (Gov. UK 2004)  
General Data Protection Regulation - GDPR (May 2018)  
Human Rights Act (Gov. UK 1998)  
Education Act (Gov. UK 2002)  
Education and Skills Act (Gov. UK 2008)  
Sexual Offences Act (Abuse of Trust) ( Gov. UK 2003)  
Female Genital Mutilation Act (Gov. UK 2003)

Information Sharing; Advice for practitioners providing safeguarding services to children, young people, parents and carers (Gov.UK July 2018)  
Counter-terrorism and Security Act (Gov.UK 2015)  
Keeping Children Safe in Education - KCSiE (Gov.UK Sept 2020)  
Revised Prevent Duty Advice for Schools (Prevent Duty Guidance: for England and Wales Gov.UK (July 2015)  
Children Missing Education (Gov.UK Sept 2016)  
Teacher misconduct: the prohibition of teachers (Gov.UK October 2015)  
Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (Gov.UK July 2018)

### **Other Red Balloon policies to be read in conjunction with this one**

- Safeguarding
- Whistleblowing
- Esafety
- Attendance
- Dealing with Allegations of Abuse against Staff
- Student Wellbeing and Personal Development
- Behaviour for Learning
- Anti-Bullying
- Staff Code of Conduct
- Data Protection

Policy document control box	
Policy title	<b>SEND</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• Legislation and Guidance that inform this document</li> <li>• Other Red Balloon policies to be read in conjunction with this one</li> </ul>

## **Purpose**

This policy enshrines that Red Balloon are committed to offering an inclusive curriculum both wellbeing and academic, thus ensuring the best possible progress for all of our students whatever their needs or abilities.

## **Scope**

The headteacher, supported by her / his trustees must ensure that the centre effectively meets the needs of all students referred and that centre practice complies with the requirements of the SEND Code of Practice. The SENCo will be delegated to assume the day to day responsibilities set out in this policy.

## **Policy statement, provision and safeguards**

Not all pupils with disabilities have special educational needs and not all pupils with SEND meet the definition of disability but we aim to meet the needs of each student according to their needs as identified by themselves, parents and carers, former providers, commissioning agents and ourselves once students are placed at Red Balloon. Students have 'Special Educational Needs' if they have, 'a learning difficulty which calls for special educational provision to be made for them': students with a disability have special educational needs if they have any difficulty in accessing education and if they need any special educational provision to be made for them, that is anything that is additional to or different from what is normally available in schools in the area '. A student may be classed as SEND if he or she requires special educational provision in order to access the curriculum and/or achieve his or her full potential. This provision will include learning difficulties, extending exceptional abilities (Higher Ability Pupils) and those with social, emotional and mental health difficulties (SEMH)'. Four broad areas of need are described within the revised Code of Practice. Our intention is always to look beyond labels and not to fit young people into categories, but we do recognise the four broad areas of need:

- communication and interaction,
- cognition and learning,
- social, emotional and mental health,
- sensory and/or physical needs.

Whilst not all of our students have been identified as 'SEND', each one might be described as having 'special educational needs' as their needs are unable to be met in a mainstream provision, hence the referral to a Red Balloon Centre.

## **Red Balloon's capacity to work effectively with SEND students**

Neither our staff (in terms of their training) nor our buildings and resources make Red Balloon Centres suitable for students with extensive sensory or physical needs, or those with significant communication and /or interaction needs. We do, however, have real strengths in supporting students who experience certain emotional and mental health difficulties, and, by

the bespoke nature of all Red Balloon provision, we are able to meet certain needs in the area of cognition and learning.

We will always consider referrals for students with EHC (education, health and care) plans, but will only admit a student if we, together with the student and her / his parent(s) / carer(s), believe it possible to meet the needs identified within the plan. It is also essential to state (see admissions policy) that a key component of our provision is that we provide a safe and supportive community for **every** student. The issue of individual rights as set against the rights of the broader community is a complex one. It is, however, the case that we will not allow any student to access or remain in a Red Balloon placement if they consistently refuse to respect the rights of other members of the community. We acknowledge that this may curtail our capacity to work with the full range of SEMH students, but we will always protect the community that forms the bedrock of our provision.

## **Red Balloon aims in working with SEND students:**

We aim to:

- ensure that we are fully aware of the needs of all students and that we devise individual plans to ensure those needs are met;
- ensure that students with special educational needs and disabilities are able to join in with all the activities available to the best of their capability;
- support all students to develop positive wellbeing;
- support all students to make the best possible academic progress;
- ensure parents/carers are informed of their child's special needs and that there is effective communication between parents/carers and Red Balloon to ensure that learners express their views and are fully involved in decisions which affect their education;
- promote effective partnership with and the involvement of outside agencies when appropriate;
- ensure SEND students are provided with appropriate support to enable them to 'transition' either back to mainstream school or into education, employment or training (adulthood).

**In line with the recommendations of the revised Code of Practice we seek to (NB these principles match the practice that we have always pursued at Red Balloon):**

### *Ensure students are central to decisions about their education*

The SEND Code of Practice places the child or young person at the centre of decision-making around their education. In practice, this means that students need to be actively involved in setting targets and evaluating their progress towards them. It also means they need to actively identify what is important to them now and in the future.



### Effectively utilise the expertise of parents / carers

Parents and carers have the most intimate knowledge regarding their child, so the code recommends that schools work in partnership with them, involving them in decisions and making use of their knowledge.

To ensure this happens, we need to remember that many educational terms are incomprehensible to those outside teaching and that some processes teachers take for granted may be a mystery to parents and carers. If the latter are not given the tools and information they need, in an accessible way, they cannot contribute effectively.

### Use a graduated approach

SEND support should arise from a four-part cycle, known as the graduated approach, through which earlier decisions and actions are revisited, refined and revised. This will lead to a growing understanding of students' needs and what supports them in making good progress. This approach perfectly matches the action planning cycle identified in our assessment policy (plan, do, evaluate, do again).

It is essential to allow sufficient time for the action (do) 'element' to become embedded before reviewing / evaluating it.

### Practise in line with the shift from viewing difficulties in self management of behaviour from BESD (behaviour, emotional, and social difficulties) to SEMH (social, emotional and mental health difficulties)

The revised Code of Practice changed the way young people who struggle to manage their behaviour and emotions are referred to. Where before students were referred to as having "behavioural, emotional and social difficulties", in the new code this became "social, emotional and mental health needs" (SEMH). The change in wording asks practitioners to look past a student's behaviour itself to the underlying causes and focus on what that behaviour is communicating.

Again this matches Red Balloon philosophy and practice. We aim to listen, to understand and to support young people to make appropriate decisions for themselves.

### Understand the need to identify individual need rather than categorise

"The purpose of identification is to work out what action the school needs to take, not to fit a pupil in a category".

This means that practitioners should consider all of a student's needs, not just those with which they have been labelled, alongside their strengths. Support should be targeted wherever it is most needed at any one time, remembering that students' needs may cut across more than one area and may change with time.

## **Centre Practice**

Each centre will identify a person responsible for ensuring that practice is effective and meets the requirements of the revised Code of Practice:

S/he will:

- ensure that daily practice complies with the requirements of this policy;
- liaise with and support staff to ensure student needs are well met;
- coordinate provision for children with special educational needs;
- maintain the centre's SEND register and oversee the tracking information for all students with special educational needs;
- maintain and update resources for SEND;
- ensure that staff have access to appropriate resources;
- liaise with parents/ carers of students with special educational needs;
- attend/chair the EHC Plan reviews
- contribute to the training of all staff;
- liaise with external agencies including medical support services and social services;
- support the statutory assessment process for students who may need an EHCP;
- ensure EHCPs are up to date and fit for purpose;
- ensure that appropriate access arrangements are in place for public examinations;
- ensure that appropriate data sharing and protection guidelines are adhered to regarding SEND information;
- ensure that student confidentiality is respected at all times;
- ensure that students are supported in making their own decisions, and encouraged to express their own views and opinions
- ensure students' voices are heard and represented.

It is the responsibility of all teaching staff to negotiate provision with students in a manner that ensures any special needs are well met. All staff will endeavour to ensure that all students have full access to the available curriculum (academic, wellbeing and any additional activities).

It is in the very nature of Red Balloon provision that we treat young people as special and having individual needs, hence we negotiate provision with them and their parents / carers. Students are not slotted in to pre-set timetables, rather a bespoke timetable is created for each young person at the time of admission. Thus we would not consider practice with SEND students to be demonstrably different from that with their peers, rather we see all students as individuals and aim to meet their needs regardless of how those needs have been identified prior to referral.

## **Legislation and Guidance that inform this document**

- Children and Families Act (2014)
- SEND Code of Practice (2014 - revised 2015)

- Equality Act (2010)

**Other Red Balloon policies to be read in conjunction with this one**

- Admissions
- Assessment
- Curriculum
- Disability and Discrimination
- Exclusions

Policy document control box	
Policy title	<b>Staff Code of Conduct</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>•</li> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• Responsibility for Implementation</li> <li>• Core expectations of all staff</li> <li>• Appearance and Dress</li> <li>• Hours of Work and Attendance</li> <li>• Sickness Absence</li> <li>• Prompt submission of reports and other written documentation</li> <li>• Sensitive Information and Confidentiality</li> <li>• Use of Centre Resources (including access to the internet)</li> <li>• General standards of behaviour</li> <li>• Issues arising through curriculum delivery</li> <li>• Social Contact Outside the Workplace</li> <li>• Communication with students</li> <li>• Personal use of social media / networking sites</li> <li>• Use of camera phones</li> <li>• Physical contact</li> <li>• Transporting students</li> <li>• Supervision of students where change of clothing is required</li> <li>• Giving and accepting gifts to / from students</li> <li>• Smoking / vaping</li> <li>• Trips (day and residential)</li> <li>• Sexual Conduct</li> <li>• Dealing with Infatuation</li> </ul>

- Keeping Within the Law
- Whistleblowing
- Legislation / Guidance that informs this policy:
- Other Red Balloon policies that should be read in conjunction with this one

## Purpose

This policy describes how the behaviours and actions of Red Balloon employees and volunteers (including trustees and/or governors) will support all students in accessing the highest possible quality of teaching and learning within a positive and respectful environment. Furthermore, they expect that all students will perceive themselves to be safe, emotionally and physically, throughout their time at Red Balloon.

Trustees expect that all staff will represent the organisation appropriately and professionally in their contact with parents/carers, schools, other commissioning agents and all other agencies.

## Scope

It is important that staff have clear guidelines to ensure that their practice contributes appropriately to the experience of all members of the Red Balloon community.

This code sets out expected standards of conduct. It applies to all colleagues, regardless of status. It is not an exhaustive compilation of what staff can and cannot do, but it is hoped that it will ensure everyone is clear about the high standards of behaviour expected: what is acceptable and what is not.

The code is binding. Breaches of the code and the standards expressed in it could result in disciplinary action, and possibly dismissal, for serious offences. Trustees hope that any such action will not be necessary and that all staff will ensure they read the code and act accordance with it.

## Policy statement, provision and safeguards

### *Responsibility for Implementation*

It is the responsibility of the headteacher to ensure that every member of staff has read and understood this code of conduct. It is subsequently the responsibility of each member of staff to ensure that they practise in accordance with the requirements of the code.

It is essential that all staff:

- provide a high standard of service in dealings with colleagues, students, parents and other stakeholders whether this is in person, by telephone, letter, email or other electronic messaging system;
- always use appropriate language and never demean, distress or offend others;
- respect the rights of others and treat them with dignity;
- comply with all safeguarding requirements described within relevant Red Balloon policies and the DfE statutory guidance Keeping Children Safe in Education Sept, 2020;
- understand and implement Red Balloon's Behaviour for Learning Policy including the absolute ban on any form of corporal punishment.
- All staff should understand that the core rights to: be treated with respect; feel safe physically and emotionally; learn, apply equally to every member of a Red Balloon community, thus they should seek to ensure that their own rights and those of others are upheld at all times.

## Core expectations of all staff

- ensure the rights of all members of the community are upheld;

- abide by and contribute to health and safety procedures;
- arrive promptly for work (in good time to be prepared to receive students, or, as directed, for start of day meetings);
- arrive in good time for all commitments during the day;
- provide any written documentation as requested by their headteacher or other senior manager promptly;
- abide by the organisation's data protection policy;
- use centre resources, including all technology and any that provide access to the internet, responsibly;
- manage their personal usage of the internet responsibly, particularly any use they make of social networking sites;
- contribute positively to all aspects of the organisation that they work within;
- always act in accordance with the law;
- understand and act in accordance with their safeguarding responsibilities.

All staff have a 'duty of care': Staff are accountable for the way in which they:

- exercise authority,
- manage risk,
- use resources,
- safeguard children.

All staff have a responsibility to keep students safe and to protect them from abuse (sexual, physical and emotional) and neglect. Also staff must understand and be vigilant about the risk posed to students through radicalisation and extremism and to female students through female genital mutilation. Any concerns must be shared in line with safeguarding policy requirements.

Students have a right to be safe and to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure their safety and wellbeing. Failure to do so may be regarded as professional misconduct. The safeguarding culture of a school is, in part, exercised through the development of respectful, caring and professional relationships between adults and students and behaviour by the adult that demonstrates integrity, maturity and good judgement.

It is a core element of Red Balloon philosophy that staff and students contribute to the community: staff are part of a working team – that team is strongest when all work together and support each other – where there is disagreement, that should be calmly and openly discussed without animosity, and outcomes accepted.

Health and Safety: RBNWL has a health and safety policy detailing the responsibilities of all members of the community. All staff must read, understand and comply with this policy. All staff have a legal responsibility to contribute to a safe working environment.

## **Appearance and Dress**

Whilst Red Balloon makes no absolute stipulations regarding dress, there is an expectation that all staff remember that:

- students look to them as role models;

- dress should be appropriate for the workplace - and staff should work to enable students to understand 'appropriate' dress codes for particular environments;
- nothing should be worn that indicates political bias ;
- nothing should be worn that carries a written inscription that might cause offence;
- students have a right to expect that staff take some care over their appearance at work.

## **Hours of Work and Attendance**

Staff should maintain high personal standards in terms of attendance and punctuality. It is a crucial aspect of modelling behaviour for students.

## **Sickness Absence**

All staff are expected to follow the organisation's absence reporting procedure when they are absent from work due to illness or injury, as described in the absence policy.

This procedure includes notification as early as possible on the first day of absence, keeping the school informed where absence continues, and meeting requirements for the provision of medical certificates.

## **Prompt submission of reports and other written documentation**

Staff are expected to provide regular reports and planning documentation. Headteachers and other managers will advise appropriate timescales for submission: staff should adhere to these.

## **Sensitive Information and Confidentiality**

It is expected that staff will use sensitive information appropriately and have due respect for confidentiality. Staff should ensure that they:

- know what information the school treats as confidential (headteachers can clarify this);
- know who is entitled to have access to what information (again headteachers can clarify);
- are responsible and professional in using and allowing access to personal information regarding students, parents / carers, staff, trustees and any other 'involved persons';
- use personal information in line with the principles of the GDPR (General Data Protection Regulations 2018 - the organisation has a data protection policy that incorporates GDPR).

Staff may have access to confidential information about students and their families. This must be kept confidential at all times and only shared when legally permissible to do so and in the interest of the child. Records should only be shared with those who have a legitimate professional need to see them. Staff should never use confidential or personal information about a student or her/his family for their own advantage (or for that of others including partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the young person. Confidential information should never be used casually in conversation or shared with any person other than on a need-to-know



basis. In circumstances where the student's identity does not need to be disclosed, the information should be used anonymously.

There are some circumstances in which a member of staff may be expected to share information about a student, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay, but only to those with designated safeguarding responsibilities. If a child – or their parent(s) / carer(s) – make(s) a disclosure regarding abuse or neglect, the member of staff must follow safeguarding procedures. Staff must not promise confidentiality to a child or parent, but should give reassurance that the information will be treated sensitively.

## **Use of Centre Resources (including access to the internet)**

Staff are expected to take care of all centre resources and to ensure that students do the same.

Red Balloon communications systems and equipment, including electronic mail and Internet systems, along with their associated hardware and software, are intended for official and authorised purposes. Headteachers may authorise personal use provided that such use:

- does not interfere with the performance of professional duties;
- is of reasonable duration and frequency;
- does not overburden the system or create any additional expense to the centre.

Headteachers must consider carefully and make informed professional judgement re discretionary use for any other purpose.

Staff are expected to conduct themselves honestly and appropriately on the internet, and to respect the copyrights, software licensing rules, property rights, privacy and prerogatives of others. Internet users are prohibited from transmitting or downloading material that is obscene, pornographic, threatening, racially or sexually harassing, or in any way contravenes equal opportunities legislation.

No sites known to contain offensive or potentially 'radicalising' material may be visited via Red Balloon equipment.

## **General standards of behaviour**

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children. They should adopt high standards of personal conduct in order to maintain confidence and respect of the general public and those with whom they work.

There may be times where an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own children, or children or adults in the community. Staff should be aware that their behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute. Such behaviour may also result in disqualification from childcare, prohibition

from teaching by the TRA (Teaching Regulation Agency), a bar from engaging in regulated activity, or action by another relevant regulatory body.

## **Issues arising through curriculum delivery**

Many areas of the curriculum can include or raise subject matter that is sexually explicit or of a political, religious or otherwise 'sensitive' nature. Staff must ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified. Teaching materials should always present the range of views / interpretations available. Ground rules to ensure sensitive topics can be discussed in a safe learning environment should be negotiated with students. Staff must tread carefully in particular areas of risk and sensitivity and care should especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied eg drama. Staff must always discuss potential or actual difficulties openly with colleagues and managers.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political or otherwise sensitive nature. Responding to children's questions requires careful judgement and staff should take guidance, particularly around sexual issues, from the Designated Safeguarding Lead.

Care should be taken to comply with the promotion of fundamental British values (respect, liberty, democracy and the law).

Parents have the right to withdraw their children from all or part of any relationships and sex education provided but not from the national curriculum for science.

## **Social Contact Outside the Workplace**

It is acknowledged that staff may have genuine friendships and social contact with parents of students, independent of their professional relationship. Staff should, however, be aware that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse.

It is also important to recognise that social contact may provide opportunities for other types of grooming such as for the purpose of sexual exploitation or radicalisation.

Staff should recognise that some types of social contact with students or their families could be perceived as harmful or exerting inappropriate influence on children, and may bring the setting into disrepute (eg attending a political protest, circulating propaganda).

If a student or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise their professional judgement. This also applies to social contacts made through outside interests or the staff member's own family.

Some staff may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon the staff member or seeks support outside of their professional role, this should be discussed with senior management and, where necessary, referrals made to the appropriate support agency.

## **Communication with students**

Communication with children both in the 'real' world and the 'virtual' world (eg through web based and telecommunication interactions) should take place within explicit professional boundaries. This includes the use of computers, tablets, phones, texts, emails, instant messages, social media such as Facebook and Twitter, chat-rooms, forums, blogs, websites, gaming sites, digital cameras, videos, web-cams and other handheld devices (given the ever changing world of technology it should be noted that this list gives examples only and is not exhaustive.)

Staff should not request or respond to any personal information from children other than which may be necessary in their professional role. They should ensure that their communications are open and transparent and avoid any communication which could be interpreted as 'grooming behaviour'.

This means that adults should:

- not seek to communicate/make contact or respond to contact with students outside of the purposes of their work;
- not give out their personal details;
- use only equipment and Internet services provided by the centre for professional contact;
- follow the centre's agreement re 'use of technology';
- ensure that their use of technologies could not bring Red Balloon into disrepute.

Staff should not give their personal contact details to children eg email address, home or mobile telephone numbers, details of web based identities. If children locate these by any other means and attempt to contact or correspond with the staff member, the adult should not respond and must report the matter to their manager.

NB Given the intention of RB to be supportive to all students and their families, there may be exceptions to the above. If this is the case, staff should protect themselves and the student and her/his family by making sure that a record is made detailing the reason(s) for the exception and ensure that a senior manager (preferably the DSL and / or headteacher) is aware of the arrangement.

## **Personal use of social media / networking sites**

Staff should not post photos of staff or school events on any social media site without eliciting consent from those featured in pictures.

In cases wherein staff use social media / networking sites, they should remember that students may have access to those sites, thus it is their responsibility to ensure that any information posted there is either saved in a manner that makes it inaccessible to students or is of a nature that is appropriate to be viewed by them.

## **Use of camera phones**

Staff must ensure that they do not take photographs of students on personal equipment.

## Physical contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, however, it is crucial that they only do so in ways appropriate to their professional role and in relation to the student's individual needs and any agreed care plan. Not all children feel comfortable about certain types of physical contact; this should be recognised and, wherever possible, adults should seek the student's permission before initiating contact and be sensitive to any signs that they may be uncomfortable or embarrassed. Staff should acknowledge that some students are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Staff should listen, observe and take note of the child's reaction or feelings and, so far as is possible, use a level of contact and/or form of communication which is acceptable to the young person.

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one student, in one set of circumstances, may be inappropriate in another, or with a different child. Any physical contact should be in response to the student's needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Staff must, therefore, use their professional judgement at all times.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. 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 should be immediately reported to the DSL or headteacher and recorded. Where appropriate, the DSL should consult with the Local Safeguarding Children Board. Extra caution may be required where it is known that a child has suffered previous abuse or neglect. Staff need to be aware that the child may associate physical contact with such experiences. They also should recognise that students who have been subject to such experience may seek out inappropriate physical contact. In such circumstances staff should deter the child sensitively and help them to understand the importance of personal boundaries.

A general culture of 'safe touch' should be adopted.

Where some contact is necessary within the curriculum (eg within drama or PE), it should take place in a safe and open environment (ie one easily observed by others) and last for the minimum time necessary. The extent of the contact should be made clear and undertaken with the permission of the student.

Contact should be relevant to their age and understanding and staff must remain sensitive to any discomfort expressed verbally or non-verbally by the student.

Staff are allowed to restrain a student (see Use of Reasonable Force Policy for further information) to prevent the student from:

- hurting another member of the community;
- damaging property or the fabric of the building;
- causing 'disorder'.

It is not anticipated, however, that such action will be required within a Red Balloon Centre. If it is required, it may indicate that the student is unsuitably placed.

## **Transporting students**

For safeguarding reasons staff should not as a matter of course transport students, certainly not individual students. There may be exceptions to this (eg student is left stranded after a trip, student requires emergency transport for medical treatment). Any decision re the provision of such transport must be made 'in the best interests of the child'. Further guidance is provided in the organisation's Lone Worker Policy.

Where staff are required to transport a group of students for a specific reason, they must ensure that they have the necessary insurance cover, and that a risk assessment has been completed and any actions required have been followed.

If a vehicle (eg minibus) is hired to transport students, the vehicle must carry the required first aid materials and the driver must ensure her/himself of its roadworthiness.

## **Supervision of students where change of clothing is required**

In any instance where students are required to change (eg swimming sessions, use of gym facilities), staff must respect students' privacy. Arrangements will differ according to the facility being used: some offer individual private changing areas, others utilise common areas. Staff must take into account the wishes of students, consider the wellbeing of the students and ensure they are appropriately supervised in public places. In any instance where staff are unsure as to 'best practice' they should discuss their concerns with either the headteacher or the DSL.

## **Giving and accepting gifts to / from students**

Under no circumstance should a member of staff give a gift to a child. Centres may provide some celebratory food or 'token' on a student's birthday or time of leaving, but that must come from the whole staff group, not from an individual.

As a general guide, students and parents should be discouraged from giving gifts to staff. Very small tokens of thanks (eg at Christmas) are acceptable, but if parents or students offer anything more, the offer should be declined. Should that refusal cause concern, then the issue should be passed on to the headteacher for resolution.

## **Smoking / vaping**

Staff must never smoke or vape whilst on Red Balloon premises or in the company of students.

## **Trips (day and residential)**

Staff are expected to adopt the highest standards of behaviour when 'out' with students. Whilst responsible for students (eg throughout a residential trip), staff must not consume alcohol or take drugs (other than those which are medically prescribed). The use of illegal drugs whilst responsible for students may lead to dismissal.

## **Sexual Conduct**

Any sexual behaviour by a member of staff with or towards a student is unacceptable, is illegal with a student under 18 years of age, and will always be a matter for criminal and/or disciplinary action.

Students are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions depending on their age and understanding. This includes the prohibition of sexual activity with children by adults in a position of trust.

Sexual activity involves physical contact including penetrative and non-penetrative acts, however it also includes non-contact activities, such as causing or encouraging students to engage in or watch sexual activity, or the production of pornographic material.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the purpose is to gain the trust of a child, and manipulate the relationship so sexual abuse can take place. All staff will undertake appropriate training so they are fully aware of those behaviours that may constitute 'grooming' and of their responsibility to always report to a senior manager any concerns about the behaviour of a colleague which could indicate that a student is being groomed.

### **Dealing with Infatuation**

There are occasions when, despite there being nothing other than absolutely professional behaviour on the part of a member of staff, a student becomes infatuated with her/him. Under any circumstance where a member of staff perceives there to be such occurrence (there is a distinct difference between infatuation and affection / liking), s/he must discuss the situation with her/his headteacher. It is difficult to prescribe a specific course of action that will then ensue, but it is essential that 'appropriate' plans are made and action taken to attempt to ensure that the 'infatuation' is brought to an end, but that any action taken does not damage the self esteem of the student.

## **Keeping Within the Law**

Staff are expected to operate within the law. Proven unlawful or criminal behaviour, at work, or outside work, will lead to internal disciplinary action.

Any member of staff who is charged with any crime must notify their headteacher (headteachers should notify a member of 'Group') immediately. The chief executive will consider whether that charge should lead to further internal disciplinary action. If the offence is of a sufficiently serious nature, it may lead to immediate dismissal.

## **Whistleblowing**

Staff must read and agree to implement the organisation's Whistleblowing Policy. Whenever staff have concern regarding the practice of a colleague or volunteer, they must raise that concern with the headteacher or designated safeguarding lead person should it concern child protection. The manner in which concerns must be raised and the process that will be followed as a result are both clearly described within the Whistleblowing Policy.

## **Legislation / Guidance that informs this policy:**

- Teachers' Standards (Gov.UK 2012 updated 2013)

- Guidance for Safer Working Practice for those working with Children and Young People in Educational Settings (2015)
- Keeping Children Safe in Education (Gov.UK Sept 2020)

**Other Red Balloon policies that should be read in conjunction with this one:**

- Complaints
- Dealing with Allegations of Abuse against Staff
- Behaviour for Learning
- Whistleblowing
- Safeguarding
- Use of Reasonable Force

Policy document control box	
Policy title	<b>Student Well-Being</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• Well-being Provision</li> <li>• Embedded Well-being</li> <li>• Discrete Well-being Sessions</li> <li>• Evaluation of Student Well-Being</li> <li>• Legislation / guidance that informs this policy</li> <li>• Other Red Balloon policies to be read in conjunction with this one</li> </ul>



## **Purpose**

Red Balloon aims to increase students' self-esteem, self-awareness, self-efficacy and resilience, whilst also developing their capacity to establish positive and respectful relationships with others. We prepare students for the opportunities, challenges and experiences that lie ahead, through enabling them to build essential understanding, skills and attributes. We help to equip them to live healthy, safe, productive, capable, responsible and balanced lives.

## **Scope**

It is the responsibility of the Headteacher to ensure that a full and appropriate range of well-being provision is available to all students. The responsibility for the day-to-day implementation of this may be delegated to a colleague. All staff are responsible for ensuring that their practice makes a positive contribution to the well-being of students.

## **Policy statement, provision and safeguards**

The Schools Standards Regulations require that the proprietor ensures that a written policy on the curriculum is drawn up and implemented effectively. Red Balloon provides for students who have self-excluded from school or for whom attendance at mainstream school is problematic, in terms of their mental health and/or special educational needs and disabilities. Therefore, since we aim to ensure that students' personal, emotional and social needs are met, this policy is a necessary counterpart to Red Balloon's 'academic' Curriculum Policy.

## **Well-being Provision**

Well-being is a central tenet of Red Balloon; it plays a vital role in students' personal development and recovery. Student well-being is:

- embedded in the culture, ethos and community of Red Balloon
- delivered explicitly through discrete timetabled sessions

## **Embedded Well-being**

Student well-being permeates and underpins every aspect of Red Balloon. Staff use student-centred strategies to engage young people and build confidence. They adopt a coherent and consistent approach of unconditional positive regard; the strong relationships that result from this are key to enhancing well-being and to creating a positive experience for all students.

Red Balloon staff continuously demonstrate and model positive behaviour and boundaries, including skills and strategies for developing healthy relationships and for effective conflict resolution. They value each student as an individual and promote his/her social and emotional development. Consequently, core elements of practice for every member of staff

include:

- welcoming students warmly every day, whether in person or online
- responding positively to them in every interaction
- respecting students through always being well prepared for lessons
- communicating both sensitively and effectively with students about areas for development and improvement
- engaging with them outside formal lesson times (where appropriate)
- ensuring they leave with a positive farewell

## **Discrete Well-being Sessions**

Students' well-being is also developed explicitly through a range of discrete timetabled sessions, which constitute a core element of the formal curriculum. These may include:

- individual counselling/therapy
- individual and/or group mentoring
- formal PSHEE lessons, taught in groups
- community sessions (eg. circle time, face-to-face group activities, online group sessions)
- community celebrations/presentations
- creative arts
- sport/physical exercise
- occasional off-timetable experiences (eg. cultural days, trips, work experience)

Developing students' well-being is nuanced and complex; since we place the 'student voice' at the centre, provision cannot be a 'one size fits all' model. Within the Red Balloon Well-Being Framework, appropriate adjustments are made and a programme is devised according to each student's circumstances, readiness and stages of emotional, social and academic development. Every student follows a relevant and accessible pathway, tailored to meet his/her individual needs and with due account taken of any Education, Health and Care Plan where appropriate.

Red Balloon reviews this programme, together with students, parents/carers and commissioners, to ensure that it continues to meet the student's needs as they evolve over time.

## **Evaluation of Student Well-Being**

Certain limitations are inherent in the evaluation of well-being: assessing and measuring personal development is a highly complex subject, whilst students' social and emotional progress does not follow a neat linear trajectory. With these caveats noted, student well-being and personal development are tracked and evaluated, including in terms of specific outcomes of Education, Health and Care Plans where applicable.

### **Legislation / guidance that informs this policy:**

- The Education (Independent Schools Standards) (England) Regulations (2015)

### **Other Red Balloon policies to be read in conjunction with this one**

- Behaviour for Learning
- Curriculum
- Personal, Social, Health and Economic Education
- Special Educational Needs and Disabilities

Policy document control box	
Policy title	<b>Supervision Policy</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement</li> <li>• Supervision during lesson times</li> <li>• Supervision outside lesson times</li> <li>• Areas always out of bounds</li> <li>• Supervision at break and lunch times</li> <li>• Supervision of students on visits</li> <li>• Related legislation and documents</li> </ul>

## **Purpose**

This policy identifies our strategy for supervision of students during the course of their education at Red Balloon North West London.

## **Scope**

This policy applies to all Red Balloon colleagues, Trustees, Governors and volunteers working at Red Balloon North West London.

This policy is reviewed annually, and updated in the interim, as may be required, to ensure that it continually addresses the risks to which students are or may be exposed. The review and development of this policy will be informed by assessing the impact and effectiveness of the policy over the previous 12 months.

## **Policy statement**

Red Balloon North West London takes seriously its responsibility to ensure that students are supervised effectively to ensure their safety while on school premises or school visits. Staff who supervise are mindful of our Child protection policy, our Anti-bullying policy and our health and safety requirements.

## **Supervision during lesson times**

We ensure that at least one member of staff directly supervises all students in lessons.

## **Supervision outside lesson times**

At certain times remote supervision may be appropriate if students are working independently and are not engaged in high risk activities or that require direct teacher supervision. Students are not normally under direct supervision before 8.30am or after 4pm unless they are engaged in an activity organised by a member of staff. Teachers who are running extra-curricular activities know that they are responsible for the supervision of all students engaged in them until the point that all students have gone home.

## **Areas always out of bounds**

Some areas are out of bounds to unsupervised students. These include the science laboratory and the kitchen area.

## **Supervision at break and lunch times**

Staff undertake weekly daytime supervisory duty throughout the academic year. Staff are allocated, by means of a rota, to supervise each area of the building. The upper floors of the building are out of bounds to students at break and lunchtime unless a student is working directly with a member of staff at that time. Staff on supervisory duty are responsible for ensuring that students are behaving appropriately and that there is no unsafe activity occurring. We particularly encourage staff to be aware of students interacting in a way which could be considered bullying, or of lone students who seem distressed.

## **Supervision of students on visits**

The level of supervision must realistically reflect the purpose, location and nature of the visit, the age and maturity of the students and any special needs. Visits are therefore planned with sufficient adult supervision to reflect the potential risks and to allow for emergencies.

## **Related legislation and documents**

The following Red Balloon policies are directly relevant to this policy:

- Health and Safety Policy

- Behaviour for Learning Policy

Policy document control box	
Policy title	<b>Transition Policy</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
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Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> </ul>

## **Purpose**

This policy enshrines that Red Balloon ensures all students have an identified 'transition aim' (ie an identified establishment/placement to move on to) and that we prepare students for a successful transition and support them into their new placement.

## **Scope**

The Head/Coordinator is responsible both for ensuring that every student has a negotiated placement plan, which identifies the proposed next placement and date of transition, and for monitoring progress towards that transition and modifying plans as appropriate. The responsibility for the day-to-day implementation of this is delegated to designated staff.

## **Policy statement, provision and safeguards**

All students have placement aims, which are agreed between the student, his/her parents/carers, the commissioning agent and any other involved agency (eg health authority, social services). One of those aims will identify the next placement planned for the student.

In accordance with the agreed placement aims, Red Balloon seeks to ensure that appropriate learning is undertaken to enable the student to make a successful transition.

For example, if a return to mainstream school is identified, students should:

- study at a similar level to peers attending the identified school;
- work to cover any learning gaps in core subjects (particularly in numeracy or literacy);
- identify any learning habits that will enable them to achieve success in their mainstream placement and work to develop those habits;
- work to develop self-efficacy and social interaction skills.

If students are placed at Red Balloon through KS4, they should decide what type of placement they want to pursue at KS5. Students are given plentiful opportunities to discuss the options with staff.

If students wish to continue in education, they should:

- consider what courses and establishments are realistically available to them;
- identify the qualifications required to access those courses;
- work to achieve the required grades;
- work to develop interpersonal and social skills that will support further placement.

If students identify a work-based placement:

- an appropriate provider should be identified;



- the possibility of work placement/experience before full placement should be considered;
- conversations should be had with the provider to identify the key interpersonal and vocational skills required and any formal qualifications that should be pursued.

In all cases, an identified member of staff will:

- liaise with appropriate staff in the identified placement;
- ensure the student and parents/carers are fully informed of any requirements of them;
- support the student into the placement (eg. accompanying him/her on initial visits or to interview);
- track the initial success of the placement and provide intervention/support where possible in the event of significant difficulties.

If the placement breaks down within a month, Red Balloon staff will negotiate alternative placement or plan a return to Red Balloon provision, where feasible and appropriate

Students (and their parents/carers) are approached for permission to be tracked at six months (the national second term benchmark), 18 months and three years post-transition to monitor the success of placements. Red Balloon uses the data generated to inform future practice.

## **Students with EHC plans**

The individualised nature of Red Balloon's practice ensures that the needs of students with EHC (education, health and care) plans are amply met. We ensure that the plans are detailed and tracked in accordance with EHC planning and review procedures and we liaise with the appropriate placing authority to ensure best practice.

## **Safeguarding**

The Designated Safeguarding Lead ensures that any child protection information is passed on to the DSL at the receiving institution, in accordance with local safeguarding procedures.

## **Legislation and Guidance that inform this document:**

A Transition Policy is not a legal requirement but Red Balloon has regard to general legislation that governs school admissions and that which requires us to ensure that students access education, employment or training post 16. Red Balloon notifies the relevant local authority of any student who becomes 'NEET' (not in education, employment or training) and/or who has not achieved 9-4 grade in maths or English.

**Other Red Balloon policies to be read in conjunction with this one**

- Careers Guidance
- Personal, Social, Health and Economic Education
- Work Placement

Policy document control box	
Policy title	<b>Use of Reasonable Force Policy</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
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Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> </ul>

## Purpose

This policy enshrines that Red Balloon seeks to ensure that all students are able to learn in a safe, secure environment. It is expected that 'use of force' will never be required, however, this policy describes practice in the extremely unlikely event that it may be.

## Scope

Headteachers /coordinators must ensure that all staff are aware of their legal rights regarding 'use of force' and of Red Balloon guidelines for 'managing behaviour'. All staff are subsequently responsible for implementing practice that ensures the physical and emotional safety of all students.

## Policy statement, provision and safeguards

Red Balloon accepts the definition of reasonable force, including that of restraint, given in the Gov. UK 2014 guidance document. Any use of 'reasonable force' will always be reserved as a very last measure, and restraint will never be used as a matter of course. If staff deem that physical restraint is necessary, then (see Red Balloon's 'Behaviour for Learning Policy' and 'Exclusion Policy') that may be seen as an indicator either that the student is inappropriately placed with Red Balloon or that there is a need to educate the student away from the centre for a period of time.

We note that the 'right' to use 'reasonable force' applies to all staff (including volunteers) and to parents who may be working with students (accompanying them on a trip, for instance), and that such force may be used to prevent a student:

- hurting another member of the community;
- damaging property or the fabric of the building;
- causing 'disorder'.

*Red Balloon will never consider the use of force of any sort as a punitive measure.*

Red Balloon will ensure that commissioning agents are aware of its desire not to physically intervene to control student behaviour, certainly at more than a 'protective' level, and will also make this clear to parents and students during discussions regarding the appropriateness of a referral.

Red Balloon also notes the right of staff to search students for possession of:

- knives and weapons,
- alcohol,
- illegal drugs,
- stolen items,
- tobacco and cigarette papers,
- fireworks,

- pornographic images,
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force may not be used to search for 'other' items banned under the centre rules.

Red Balloon acknowledges that centres should not operate an absolute 'no contact' policy, but remains committed to restricting any 'use of reasonable force' to the very lowest possible level, only using it to prevent harm to a member of the community, damage to property of a community member or damage to the fabric of the building. Staff will not be expected to remove a student from a classroom or other place: the flexibility provided by small numbers in class groups means that other action would be taken (eg other students could be moved).

The Headteacher will monitor any staff concerns regarding student behaviour and ensure that staff feel confident in responding to behaviour at all times. Training can be provided in protective intervention or minimal 'use of force' with the emphasis upon minimal engagement and maximum care for student welfare.

Should any commissioning agent require staff to be trained in the 'use of reasonable force', then Red Balloon will ascertain what approach or approach the commissioning agent favours (if any), and ensure that the required training is undertaken.

Red Balloon staff maintain constant contact with parents and will always contact them immediately if there is a significant incident, regardless of whether the staff response has involved any use of reasonable force.

There is a separate 'Allegations of Abuse against Staff' policy that deals with any complaint that a student might make regarding the use of force.

Lastly, Red Balloon notes that staff may make minimal and 'informed' (i.e. professionally appropriate) physical contact with students under the circumstances listed in the DfE guidance.

## **Legislation and Guidance that inform this document**

Use of Reasonable Force in Schools (Gov UK 2014)

### **Other Red Balloon policies to be read in conjunction with this one**

Behaviour for Learning

Staff Code of Conduct

Admissions

Exclusion

Dealing with Allegations of abuse against Staff

Policy document control box	
Policy title	<b>Whistleblowing Policy</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
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Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> <li>• Anonymous Allegations</li> <li>• Untrue Allegations</li> <li>• Safeguarding Issues</li> <li>• How to raise a concern</li> <li>• How a complaint will be responded to</li> <li>• Detriment</li> <li>• How the matter can be taken further</li> <li>• Maintaining Records</li> <li>• Related legislation and documents</li> <li>• Other Red Balloon policies to be read in conjunction with this one</li> </ul>

## Purpose

Red Balloon aims to ensure the highest possible standards of practice amongst all staff. This policy supports staff to feel able to report and/or discuss any practice they observe that might lead to failure to meet that aim.

## Scope

This policy aims to provide avenues for staff to raise concerns, receive feedback on any subsequent action taken and to enable staff to take the matter further if they are dissatisfied with Red Balloon's response.

According to government guidance, 'whistleblowing' is defined as taking place "when a worker reports suspected wrongdoing at work". Officially this is called 'making a disclosure in the public interest'.

Whistleblowing covers concerns that fall outside the scope of general procedures. It is not intended as recourse against proper financial or business decisions made by the organisation, nor is it an alternative to well-established disciplinary or grievance procedures. Features of this policy will, however, inevitably overlap with Red Balloon's complaints policy.

The Gov.UK guidance (Whistleblowing for Employees) notes that any whistleblowing, "must be in the public interest", hence it, "must affect others, eg the general public".

Whistleblowing legislation covers:

- a criminal offence, eg fraud;
- action that endangers someone's health or safety;
- any risk or actual damage to the environment;
- a miscarriage of justice;
- a failure on the part of an employer to meet legal requirements, eg to have required insurance;
- safeguarding issues as described within Keeping Children Safe in Education (Sept 2020);
- reporting practice wherein an employee is covering up the wrongdoing of another employee.

*Personal grievances (eg bullying, harassment, discrimination) are not covered by whistleblowing legislation. Any such grievance should be pursued as described within Red Balloon's internal grievance policy.*

## **Policy statement, provision and safeguards**

Red Balloon recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. Red Balloon will take action to protect any member of staff who raises a concern in good faith. It will not tolerate any resulting harassment or victimisation and will treat any such action as a serious disciplinary offence that will be dealt with under the appropriate procedures.

Any investigation into an allegation of malpractice will not influence or be influenced by any disciplinary or redundancy procedures which might be underway.

All concerns will be treated in confidence and Red Balloon will attempt to protect the identity of any staff member who wishes that to be the case. If investigation of a concern discloses a situation that is sufficiently serious to warrant disciplinary action or police involvement, then further evidence may be important. Red Balloon will not, however, release or forward the name of any whistleblower until the reasons for so doing have been fully discussed with the staff member.

### *Anonymous Allegations*

Staff are encouraged to put their name to any allegation made; it is hoped that the safeguarding procedures described above will enable them to do that. Concerns expressed

anonymously are much less powerful but they will be investigated at the discretion of RBNWL against the following criteria:

- the seriousness of the issues raised;
- the likelihood of confirming the allegation from attributable sources;
- Red Balloon's best interests.

Clearly it is more difficult to investigate anonymous allegations, and it is not possible to provide feedback to the complainant.

'Whistleblowing for Employees' states that, "you can give your name but request confidentiality - the person or body you tell should make every effort to protect your identity". Red Balloon will make every effort to comply with that.

It further states that if an employee elects to report their concern(s) to the media, in 'most cases' they will lose their 'whistleblowing law rights'.

#### *Untrue Allegations*

If an allegation is made in good faith but is not confirmed by the investigation, no reprisals will be taken against the complainant. If, however, malicious or vexatious allegations are found to have been made, disciplinary action may be taken against the complainant.

#### *Safeguarding Issues*

As emphasised in Keeping Children safe in Education (Sept 2019) whistleblowing is a key element of good practice to ensure the safety of students. Staff must raise a concern if they believe any other member of staff, volunteer or visiting practitioner is behaving inappropriately towards a student or group of students. Equally, if any member of staff believes that the DSL (designated safeguarding lead) is not pursuing a concern that has been raised with sufficient robustness, then they should 'blow the whistle' to indicate this failure in practice.

### **How to raise a concern**

As a first step, any staff member should raise a concern with the headteacher. This should not be done 'unofficially' (for example, in a conversation at breaktime). Instead a meeting time should be arranged by request to the headteacher (written or verbal) and the issue raised in a formal manner. The meeting should be convened within 3 working days of the request.

If, for some reason, this first step is inappropriate (eg the whistleblowing concern relates to the practice of the headteacher), then the concern should be raised with the trustee responsible for complaints. If the issue concerns the trustee responsible for complaints, then it should be raised with the Chair of Trustees.

Concerns may be raised orally, but it is good practice for the concern to be recorded in



writing at an early stage to ensure that all the details are correctly understood. A written allegation should set out the background and history of the concern (giving names, dates and places where possible) and specify the 'area(s) of concern' - what is it that the staff member has done, or not done? It is preferable for the initial complaint to be made in writing. Where that is not the case, the person to whom the concerns are verbalised will write them down and a copy will be sent to the staff member's home address (or to an email address) or to a nominated representative so that it may be checked for accuracy.

It is essential that the staff member is able to provide evidence to support the concern.

It is perfectly legitimate for any staff member to seek advice from a trade union to which they belong as to how a complaint should be made, or to ask that union to make the complaint on their behalf.

## **How a complaint will be responded to**

The action taken will depend upon the nature of the concern. After initial enquiries to assess the seriousness of the matter, it may be investigated internally (employing specific procedures where these are applicable, as in child protection or discrimination issues for example) or referred to an external agency (eg police, auditor, HR consultants) for further examination. Thereafter it may form the subject of an independent inquiry.

If urgent action is considered to be required in response to a concern, this may be taken before a full investigation is conducted.

It may be possible for the concern to be addressed with the complainant without the need for investigation or it may be that an investigation can be completed without the person or persons under investigation being aware of the process.

In any event, within ten working days of a concern being received, the person with whom that concern was raised will write to the complainant at their home address:

- acknowledging that the concern has been received;
- indicating how the matter is to be dealt with;
- giving an estimate of how long it will take to provide a final response;
- detailing any initial enquiries made;
- describing what further investigations will take place;
- if there is no further action to be taken, explaining how that decision has been reached and the justification for the decision;
- naming an independent officer to support the complainant during any investigation (support officer).

The named support officer will immediately make contact with the staff member, explain his or her role, deal with all confidentiality issues, agree frequency of contact and keep the staff member informed about the progress of the investigation. S/he will also keep the investigating officer(s) informed of any further issues considered pertinent by the complainant.

The staff member should raise any concerns they have about the conduct of the investigation with the support officer, who will take appropriate steps to support them in the workplace and at any criminal or disciplinary proceedings that may eventually result from the whistleblowing.

If the staff member wishes to retain anonymity, then s/he must nominate a representative to whom all correspondence can be sent.

When any meeting is arranged, the staff member has the right to be accompanied by a union or professional association representative or a friend.

## **Detriment**

Red Balloon is committed to ensuring that any employee who makes an allegation in good faith suffers no detriment from so doing.

## **How the matter can be taken further**

It is hoped that Red Balloon's commitment to high quality practice, to openness and to this whistleblowing policy will ensure that, wherever there are issues concerning practice, they will be addressed to the satisfaction of all concerned.

If, however, this is not the case and a whistleblower remains dissatisfied with Red Balloon's response to the concern(s) raised, then that person should raise their continuing concern outside Red Balloon. They may wish to seek legal advice under such circumstances. Suggested agencies with which ongoing concerns might be addressed (depending on the nature of the concern) are:

- Independent Schools Inspection Service (ISI),
- appropriate (geographically) Local Safeguarding Children Board (LSCB) or Local Authority Designated Officer (LADO) for safeguarding concerns;
- trade union or other professional / regulatory body,
- police,
- local government ombudsman,
- health and safety executive,
- local councillor or MP,
- 'Public Concern at Work' (a registered charity).

This list is not exhaustive: any complainant who is not satisfied with Red Balloon's response may pursue their concerns with any agency they feel to be most appropriate.

## **Maintaining Records**

A complete written record of any whistleblowing issue raised and subsequent investigation of that issue, together with the outcomes of that investigation, will be made and held centrally. All records will be made available to any inspecting agency during their regulatory visits.

## **Related legislation and documents**

- Keeping Children Safe in Education (Gov.UK Sept 2020)
- Public Interest Disclosure Act (1998)\*
- Whistleblowing for Employees (Gov.UK - <https://www.gov.uk/whistleblowing/who-to-tell-what-to-expect>)

## **Other Red Balloon policies to be read in conjunction with this one**

- Code of Conduct for all Staff
- Complaints (including internal grievance procedure)
- Dealing with Allegations of Abuse against Staff
- Esafety
- Safeguarding and Child Protection

\* The Public Interest Disclosure Act was enacted to ensure a climate of greater frankness between employers and workers so that irregularities might be identified and addressed quickly and to strengthen employment rights by protecting responsible workers who blow the whistle about wrongdoing or failures in the workplace.

Policy document control box	
Policy title	<b>Work Placement Policy</b>
Policy owner (including job title)	Cathy Taylor (Headteacher)
Version	1.02
RBNWL approving body	Red Balloon NWL (RBNWL) trustees
Date of meeting when version approved	March 2021
Date of next review	March 2024
Signed by Headteacher	
Date signed	
Signed by Chair of Trustees	
Date signed	

Policy contents:
<ul style="list-style-type: none"> <li>• Purpose</li> <li>• Scope</li> <li>• Policy statement, provision and safeguards</li> </ul>

## **Purpose**

This policy enshrines that Red Balloon, as stated in our Careers Guidance Policy, through effective careers guidance, Red Balloon seeks to widen students' horizons, raise their aspirations and challenge stereotypes. We aim to equip every student with the knowledge, skills and attributes necessary to make successful transitions to the next stage of their lives and to flourish in an ever-changing employment environment.

## **Scope**

The Head/Coordinator is responsible for ensuring that work placement opportunities are available to students as appropriate (though not compulsory) and that all such placements are effectively monitored. The day-to-day responsibility for overseeing and implementing this work may be delegated to an identified member of staff.

## **Policy statement, provision and safeguards**

Although 'Careers Guidance and Access for Education and Training Providers' (DfE, 2018) is not statutory in independent schools, Red Balloon has regard to this guidance where appropriate and relevant to the particular needs and circumstances of our students.

As a key element of transition planning, Red Balloon staff identify those students for whom it is appropriate to undertake a work placement and ensure that such placement is integrated into the student's individualised programme.

There are various types of work placement (see below) but this policy focuses mainly on work experience placements.

Work experience is defined as, "a placement on an employer's premises in which a student carries out a particular task or duty, or range of tasks and duties, more or less as would an employee, but with the emphasis on the learning aspects of the experience". (2002 guidance)

If such an experience is deemed appropriate for a student, a designated member of Red Balloon staff works with that student and her/his parents/carers to identify a suitable placement. This may be for a block period or at regular agreed intervals. Students are encouraged to play a key role in approaching prospective 'employers' and negotiating placements.

It is important that work experience provides worthwhile learning outcomes. The student and responsible staff members (both from Red Balloon and from the placement) should identify intended outcomes, in terms of both general work-based skills and knowledge and those specific to the placement. Students should be enabled

to understand the need to assess risk within the workplace and to recognise any potential hazards and risks to health and safety.

Staff and student should develop a placement plan that includes:

- what is to be learned;
- how it is to be learned;
- evidence of learning to be presented;
- assessment measures to be used.

These should be revisited during the placement and modified as appropriate.

## **Equality of Access**

Red Balloon pursues a policy of equal opportunities in its work experience programmes, ensuring both that they are free from overt and covert stereotyping and that students with a disability are appropriately provided for. Any placement is considered within the context of our Disability and Discrimination Policy, particularly in areas such as countering gender stereotyping, increasing students' confidence and challenging under-achievement. Students are encouraged and given extra support when choosing non-stereotyped placements (eg. girls choosing engineering, boys choosing childcare).

## **Hours of work**

The number of hours worked and the pattern of work during a work placement are normally matters for agreement between the employer, school, parents/carers and student. In accordance with Red Balloon's common law duty to look after students, staff should ensure that students are not asked to work excessively long or unsocial hours. Unless there are strong reasons to the contrary, students should not work more than a standard eight-hour day. Students should not work for more than five days in any consecutive seven-day period.

## **Risk assessing placements**

Staff complete a risk assessment for every placement in accordance with Red Balloon's Risk Assessment Policy. This includes evaluation of the work placement provider's policies, procedures and observed practices. If any risk is considered unacceptable, the placement is not pursued.

## **Communication with parents/carers**

The designated member of Red Balloon staff must provide parents/carers with:

- the purposes and aims of the placement, including links to the curriculum;
- learning benefits for the student, including skills to be developed;

- when and where the placement will take place;
- details of travel arrangements and any associated costs;
- description of the nature of the work involved;
- precise working hours;
- any significant risks to health and safety and the control measures in place to protect the student, as identified by the placement provider's risk assessment;
- the name of the member of Red Balloon staff responsible for the placement, both for general communication and in case of emergency or complaint;
- how they can support their child during the placement period;
- the name and contact details of the person responsible for the student in the workplace.

## **Communication with placement provider**

The member of Red Balloon staff responsible for overseeing the placement maintains contact with the placement provider during the placement at pre-agreed intervals. The purpose of such communication is to monitor progress against learning objectives and to resolve any issues that arise, whether practical (eg. transport arrangements) or other (eg. student reluctance to engage with appropriate tasks).

## **Supporting the student**

The designated member of Red Balloon staff makes him/herself available to the student during the placement and provides any support required. The student may also maintain access to any well-being or other staff during the period of the placement.

## **Insurance arrangements:**

The designated member of Red Balloon staff must ensure that the placement provider has appropriate insurance in place. A range of risks may arise in the context of student visits to the workplace. The principal ones are:

- injury to the students themselves;
- injury to others on the premises (employees, visitors, customers, etc);
- injury to others not on the premises (including customers and members of the general public);
- damage to, or loss of, employers' property;
- damage to, or loss of, other property.

The ABI, the British Insurance and Investment Brokers Association and Lloyd's of London agreed as a matter of convention that students on work experience programmes that meet the requirements of the Education Act 1996 should be treated as employees for the purposes of insurance against personal injury (that is, they will

be covered by the Employers' Liability Policy), provided that the insurer has had appropriate notification. Red Balloon staff must ensure that any 'employer' has notified their insurers of the placement.

Student injury arising from other forms of attachment would normally be covered (as per all injuries to visitors etc) by the employer's Public Liability Policy.

Any injuries caused to employees or students, provided that they arise out of activities undertaken in the employer's name, should normally be covered by the employer's Public Liability Policy or the Employers' Liability Policy.

Damage to the employer's property should normally be covered by the Material Damage Policy.

Damage to the property of others on the employer's premises should normally be covered by the Public Liability Policy.

Red Balloon staff must ensure that the employer possesses such policies (public liability, employers' liability and material damage) and has notified each insurer of the placement.

## **Student induction**

Red Balloon staff must assure themselves that the student will receive full and proper induction to the workplace. If a placement is the first with that employer, it is good practice for the Red Balloon member of staff to attend the induction.

Induction varies according to the nature of the workplace but areas that should typically be covered are:

- line management;
- safety procedures (to include who the key health and safety staff are);
- prohibited areas;
- workplace hazards (eg. dangerous substances, machinery);
- good lifting/manual handling practice (if required);
- general housekeeping - maintaining a safe and clean work environment;
- hygiene;
- first aid;
- accident procedures;
- fire procedures;
- evacuation procedures.

## **Safeguarding issues**

The responsible member of Red Balloon staff should assure him/herself that the workplace staff have a basic understanding of safeguarding procedures. There need not necessarily be a written policy and staff do not have to have undertaken safeguarding training but conversations should be had with managers, staff who will have regular contact with the student and particularly any member of staff who is likely to be alone with the student for significant periods of time:



to check that staff understand their responsibilities;  
to monitor the general approach within the workplace.  
If it becomes clear that there is limited awareness of or disregard for safeguarding values, the placement should not be pursued. Red Balloon staff should always err on the side of caution with regard to safeguarding.

## **Other types of placement**

Work experience is not the only type of work placement that Red Balloon staff consider for students. Other placements may include:

- work shadowing - in which an individual student is assigned to 'shadow' an employee going about his/her normal activities, allowing close observation
  - of jobs that, for reasons of complexity, safety or security, cannot be actively undertaken by the student;
- work observation - in which individuals or groups of students are guided round the workplace to watch a range of employee activities or work processes;
- projects - in which individuals or groups of students carry out projects on employers' premises (eg. work-related problem-solving exercises);
- mock interviews - in which students are given experience of interviews.

## **Restrictions upon placements**

The Education Act 1996 placed limitations on the sorts of work with which students can engage. The Act prohibits work experience placements where the work concerned is subject to a statutory restriction based on age limits expressed as a number of years. The Act also makes it clear that restrictions apply to work on ships. However, young people can do work otherwise prohibited by age under the 'Employment of Women, Young Persons and Children Act 1920', provided they are on approved programmes of work experience. Staff should seek advice from the appropriate local authority if they have any concerns about the legitimacy or safety of any placement.

## **Legislation/guidance that inform this document**

Work Experience - a Guide for Secondary Schools (2002)

Education Act (1996) amended by:

Standards and Framework Act (1998)

Education and Skills Act (2008)

Careers Guidance and Access for Education and Training Providers (DfE, 2018)

## **Other Red Balloon policies to be read in conjunction with this one**

Careers Guidance

Disability and Discrimination

Personal, Social, Health and Economic Education

Risk Assessment

Transition