

**businessstaffordshireeducation
developpartnershippeople**

CHILD PROTECTION POLICY FOR WORK EXPERIENCE


the NATIONAL
STANDARD for
Work Experience
Organisers
1999, 2001 & 2004

 CITY OF
**Stoke
on Trent**

Staffordshire
County Council

Statement of Commitment

This policy sets out The Staffordshire Partnership's commitment to safeguarding children from abuse and indicates how recruitment, training, procedures and practice support this commitment. Expectations of partners will be established through Partnership Agreements.

The Staffordshire Partnership is committed to following the advice given in **Work – Related Learning and the Law: Guidance for schools and school-business link practitioners** DfES/0475/2004 and **Safeguarding Children in Education** DfES/0027/2004 and would encourage all partners to prepare their policies using the advice given.

For the purposes of this policy and its associated procedures and guidance a child is legally deemed to be any young person up to and including the age of eighteen. For the purpose of this policy it also refers to young adults over eighteen who remain vulnerable.

As part of its Equal Opportunities Policy The Staffordshire Partnership recognises that all children regardless of age, disability, gender, racial heritage, religious belief and sexual orientation or identity have the right to protection from harm or abuse.

The Staffordshire Partnership will encourage educational establishments to brief students before they attend a work experience placement on the issues of child protection and to encourage them to report appropriately any concerns encountered in the workplace. The Staffordshire Partnership will encourage educational establishments to discuss issues raised during the de-briefing of pupils with The Staffordshire Partnership.

The prime communications route for dealing with Child Protection issues will be with the headteacher/principal and the work experience co-ordinator. This policy intends to complement, not replace school and LEA policy on Child Protection. Work Experience job descriptions should make clear situations at work where the students may be vulnerable. Special consideration should be given to work placements which are substantially on a one to one basis.

Our Health & Safety Officer(s) will receive appropriate training, information and instruction to assist them in raising awareness of child protection issues with work experience providers. The Staffordshire Partnership administrative staff will be made aware of child protection procedures.

Statement of Staffordshire Partnership Policy

No work experience placement (of any duration) should proceed unless proper consideration of Child Protection matters have been made:

- In the vetting of the employer by the Staffordshire Partnership
- In establishing a job description and in the communication of any risk assessment to the pupil and parents/guardians by the school

And

The school is satisfied that the pupil has been prepared sufficiently to:

- Avoid potential situations where they may be vulnerable
- Be able to respond appropriately should they have concerns or if an incident occurs

A Criminal Record Bureau check may be necessary for whoever is responsible for the pupils supervision when:

- A placement lasts more than fifteen days as a block placement
- A placement lasts for more than fifteen days over fifteen weeks as an extended placement
- There is substantial individual isolated supervision
- The pupil is judged to be vulnerable

Decisions regarding whether a CRB check is necessary should be recorded.

Any organization arranging extended placements should agree respective roles and responsibilities with The Staffordshire Partnership in the form of a Partnership Agreement to ensure that all aspects of child protection are properly managed.

To meet DfES Minimum Standards Schools are advised to follow:

Minimum Standard – Pre-Placement

1. Child Protection issues form part of the evidence base (including young person risk assessment) on which a decision to place a student is made.

Minimum Standards – Alleged Incident Procedures

1. Immediately after an incident has been alleged a log of all telephone calls and actions is to be kept.
2. The student must be withdrawn from the placement, by the school, as soon as is safe. The head of the educational establishment and Staffordshire Partnership must be informed.
3. The placement should be suspended from placements until such time as the source of the incident (both personnel and systemic) has been removed and a re-visit by a competent assessor has been undertaken.
4. Any relevant advice/information from Social Services or the Police would inform the re-assessment of the placement.
5. Internal systems and procedures would be reviewed.

Minimum Standards – Partnership Agreement with Schools

1. Schools will not arrange an extended placement unless a Partnership Agreement has been agreed clarifying roles and responsibilities.

Minimum Standard – Confidentiality

1. Schools need to consider carefully the situation where relevant information is not disclosed to the placement provider due to the requirements of the Data Protection Act 1998.

Minimum Standard – Parents

1. The agreement/consent form must contain a statement encouraging parents to feed back issues arising during a placement.

Minimum Standard – Work Experience Co-ordinator Training

1. Staffordshire Partnership will cover child protection issues during induction of new work experience staff and during refresher training of existing staff.

The responsibility for ensuring the above standards are met remains with the school if the arrangement of work experience placements is delegated to another organization (e.g. Colleges, Training Providers or Connexions)

Advice to employers on how to complete a CRB check

1. Obtain a CRB disclosure application form and carefully read through the purple completion guide that was enclosed with the form.
2. Complete the form (use only black ink) apart from sections E and F that are no longer required and the back page (X, Y and Z). Make sure you have given details of the addresses you have lived at during the last five years. Use a continuation sheet if you have more than two. Please make sure that you have given your name in the form used on your birth certificate or driving licence i.e. first name, middle name in full.
3. Arrange to meet the person that is authorised to complete the identity part of the form (section X) and make sure you have the documents you require available for checking.
4. Sign the form in both places (68 & 69) and date the form.
5. Give the form to the nominated person who will make sure the other sections are completed and send it to the countersignatory who will in turn pass it on to the CRB for processing.
6. Await a disclosure from the CRB, in most cases within three weeks. You will get exactly the same information sent to you at your current address that the countersignatory gets. Once the disclosure number has been recorded the countersignatory will destroy their copy of the disclosure.

Working with young people: Endorsement of principles

In consideration of the Education Act (2002) it would be helpful if you would read the following principles of working with young people. In the unlikely event that your organization has a child protection policy, you will, by endorsing these principles, ensure that the placement is a secure and productive environment for both you and the student.

Environment

Where possible avoid being on your own in an isolated or closed environment with a young person.

Travel

Ensure that there is a known destination and check-in times with a third party in situations where a young person will be traveling alone with an adult during placement. It is a good idea to make available a mobile phone (or equivalent) to the student in such situations.

Mentor

Those placed immediately in charge of young people should be competent in their work-role, mature in their attitudes and yet, at the same time, be at ease with young people.

Personal contact

There may be occasions when physical contact is unavoidable (e.g. when you are guiding them in carrying out a technical operation) but these should be kept to a minimum.

Behaviour

Whilst it is important to reassure a young person who may be nervous in a new placement and reliant on your guidance, avoid being over familiar.

Disclosure

Occasionally young people may disclose confidential information to a work colleague that gives rise to concern for their physical or emotional safety. In such situations you should speak to your line manager and share your concern with an appropriate representative of the education provider (usually this will be a school's work experience co-ordinator, the Headteacher) or the Central Work Experience Co-ordinator.

Disqualification

You are reminded that you are required by law to protect children from harm and that any employees are required, under the Criminal Justice and Court Services Act, to declare if they are disqualified from working with children.

I endorse these principles in the context of work experience on behalf of our company

Name:
Company/Organisation

Signature:

Date:

REFERENCE MATERIAL

LEA website Child Protection links:

Work – Related Learning and the Law: Guidance for schools and school-business link practitioners

DfES/0475/2004

Safeguarding Children in Education

DfES/0027/2004

<http://www.teachernet.gov.uk/childprotection/guidance.htm>

The Criminal Records Bureau

CRB Information Line: 0870 9090 811

<http://www.crb.gov.uk>

The Police Act 1977 Part V

The Human Rights Act 1998

The Protection of Children Act 1999

<http://www.doh.gov.uk/scg/childprotect>

‘A practical guide for all organizations working with children’ Department of Health can be downloaded as a pdf file from the above website.

The United Nations convention on the Rights of the Child

The Data Protection Act 1984 and 1998

<http://www.legislation.hmso.gov.uk/acts/1998/19980029.htm> (the Act)

<http://www.homeoffice.gov.uk/ccpd/dpu98news.htm> (overview)

The Department of Health

Social Care Group, Room 134 Wellington House

133.155 Waterloo Road, London SE1 8UG

Tel No:- 0207 9721332

NSPCC Child Protection helpline 0808 800 5000

www.nspcc.org.uk

Have Fun & Be Safe – a Guide to help Parents and Carers choose children’s activities. Code 0188, a free leaflet from NSPCC Publications and Information Unit. (This is more applicable to parents helping to choose community service or personal development activities not organized by a Central Work Experience Organiser).

Preparing Young People for a Safer Life – A leaflet A4 produced by IOSH HSE/Cheshire County Council. (IOSH telephone number 0116 257 3100).

Extended Work Experience and Child Protection: Safeguarding Children in Education - Supplementary DfES Guidance for Work Experience Organisers – 20/12/04

1. Introduction

1.1 Following the publication of the *Safeguarding Children in Education* guidance by the Department for Education and Skills, people involved in organising extended work placements have asked for further clarification which takes into account the diversity of work experience practice. The questions they have raised and the Department's responses are detailed in the sections that follow.

1.2 This supplementary guidance has been agreed by the Safeguarding Children Policy Team. It was written by the Enterprise and School Business Links team at DfES, which has policy responsibility for school work experience, and the Vocational Learning at Key Stage 4 team, which has responsibility for the Increased Flexibility programme, GCSEs in vocational subjects, and Young Apprenticeships. This guidance is relevant to all people involved in organising work experience for students during Key Stage 4, but it also applies to 16-to-18 year-olds who are in Further Education institutions (see section 175 of the Education Act 2002) including:

- EBPs, EBLOs, Trident Trust, LEAs, Connexions;
- Schools, further education colleges, training providers;
- Young Apprenticeship partnerships.

The term 'placement organisers' is used throughout to refer to all people and organisations that place students in work placements, i.e. LEAs, schools, Further Education institutions, central organisers, training providers, Trident Trust, EBPs.

1.3 This guidance should be read alongside the *Safeguarding Children in Education* (www.teachernet.gov.uk/childprotection/guidance/htm) guidance which will be updated periodically and *Work Related Learning and the Law* guidance published by the DfES in September 2004.

1.4 The Trident Trust has produced a flow chart to further clarify this guidance (attached as an Annex).

2. To which students does *Safeguarding Children in Education* apply?

2.1 The *Safeguarding Children in Education* guidance applies in particular to long-term extended work placements in Key Stage 4. However, the guidance is also relevant to other work experience programmes in Key Stage 4 and placement organisers will want to consider the welfare of the children and young persons they are placing. It also applies to placements that are a component of a course of study at a Further Education institution and, to under-16 Young Apprenticeships. The Education Act 1996 enables students on work experience in Key Stage 4 to assume the temporary status of a 'young person', as

this allows them to undertake work tasks which are prohibited for children. However, in child protection legislation, and generally in law as 18 is the age of majority, a child is defined as anyone under 18. The *Safeguarding Children in Education* guidance does *not* apply to training schemes where day release or its equivalent is part of the scheme or to employed status apprenticeships.

3. Does the child protection guidance only refer to long-term extended work placements?

3.1 Annex A of *Safeguarding Children in Education* addresses specifically the issue of child protection on long-term extended work placements. In the main the guidance refers to long-term extended work placements, but there are special factors that all placement organisers need to consider (see below).

3.2 The overall message to placement organisers is that they should regard child protection in a similar way to health and safety. Currently, a great deal of attention is rightly paid to ensuring that placements are generally suitable and that risks have been reduced to the lowest level practicable. 'Safe learners' (a term used by the Learning and Skills Council see www.safelearner.com) also have some health and safety briefing in preparation for the placement and an induction by the employer. Placement organisers have a responsibility for assessing the general suitability of the placement, while employers have a responsibility to carry out a risk assessment.

3.3 Any potential risks to the child from the placement should be considered as part of this initial assessment of general suitability which looks at health, safety and **welfare**. Additional safeguards may be necessary when there are certain risk factors present. Some of these risk factors apply equally to short-term extended work experience or block placements including:

- Where the child may be vulnerable. N.B. A variety of factors can make a child vulnerable, including special needs, immaturity, abuse or neglect, substance misuse, etc. The school or Further Education institution that the child attends should identify any child who may be vulnerable, and who may therefore require additional safeguards, to the placement organiser.
- Where the nature of the business means that the child is likely to be or will be alone with an adult as part of the work placement, e.g. sole trader, journeyman (i.e. self-employed tradesperson), self-employed person working from home (NB. this does not apply to short periods alone, for example, a solicitor taking a student to and from court in a properly insured car).
- Where the work placement has a residential component.

4. Why distinguish between short-term and long-term extended work placements?

4.1 Short-term extended work experience placements have recently developed as part of the Increased Flexibility programme and GCSEs in vocational subjects. As an alternative to a block placement, students often go out for half a day or a day per week for a term. The amount of time spent on such placements is broadly equivalent to a block placement that is typically for five or ten working days, but it could be for 15 days. A day's placement once a week during the longest school term would be roughly equivalent to a three-week placement. Such short-term extended placements would not normally require the additional safeguards to be in place, although placement organisers should still take child protection into account when assessing the general suitability of the placements. However, placement organisers should consider, in consultation with the school or Further Education institutions, whether any additional safeguards might be necessary where any other factors described in paragraph 3.3 apply.

4.2 Long-term extended placements became common as part of programmes of extended work-related learning which accompanied the disapplication of the National Curriculum regulations. Many students are still on extended work experience, say one day a week, as part of alternative curriculum programmes which may last for the whole of Year 10 and/or Year 11. Students taking NVQs or other vocational courses as part of Increased Flexibility programmes may also have long-term extended work experience. Most recently students taking part in the Young Apprenticeship programme typically will have up to 50 days of work experience during Key Stage 4.

4.3 The DfES thinks that because of the greater amount of time and the spread of time – over several months or one or two years - that children will spend in the company of adults, there is a greater risk than in short-term placements. Hence, additional safeguards are necessary to protect children.

5. What are the additional safeguards to protect children on long term extended work experience placements?

5.1 The measures that need to be in place are common-sense policies and procedures. In some circumstances they should include obtaining CRB Enhanced Disclosures on individuals working with a child as part of the placement (further advice about CRB Disclosures is given in the subsequent sections of this guidance). Additional safeguards are only required for long-term extended work placements as defined above. Nevertheless placement organisers should use their judgement over whether any of these measures (particularly the first and second measures below) would be valuable for other work placements.

5.2 First, the placement organisers need to have policies and procedures in place concerning what action will be taken, and by whom, should a child protection issue be raised before, during or after the placement. This should be written down along with

essential and useful contacts, for example, the relevant education social work department. Making sure these procedures are in place is also part of a general duty of care.

5.3 Second, the staff arranging work placements need some child protection training and/or briefing. This is because they must be able to advise employers, and brief supervisors and students.

5.4 Third, training providers or employers (placement providers) should have their awareness raised about the need for child protection by being asked to endorse a child protection policy or statement of principles. These can be devised in conjunction with the education welfare department and provided by the placement organiser. There are examples in circulation that have been specifically devised for this purpose. This shows that the placement providers are committed to looking after the welfare of the child and fulfilling their duty of care.

5.5 Fourth, the person who has prime responsibility for overseeing the student during the placement, and/or any member of staff who has been CRB checked, should have some child protection briefing or training. This does not have to be an offsite training session but could be delivered one-to-one as a briefing by the placement organisers. Clearly, if they have a responsible role in looking after a child their awareness needs to be raised about child protection issues. Information contained in the publication, 'What To Do If You're Worried A Child Is Being Abused', sets out their responsibilities. They should also be given contact details (e.g. of the placement organiser/school/LEA/FE institution) in the event of any concerns about a child for whom they are responsible.

5. When are Criminal Records Bureau checks necessary?

6.1 Currently CRB checks are not compulsory by law in this area. However, the position may change as a result of the work being done in response to Sir Michael Bichard's Report and placements organisers should be alert to subsequent amendments to the child protection requirements. There is a statutory basis to the *Safeguarding Children in Education* guidance. Under section 175 of the Education Act 2002 LEAs and governing bodies of maintained schools and FE colleges must have regard to guidance issued by the DfES in drawing up the arrangements they are required to have for safeguarding and promoting the welfare of children. LEAs'/schools'/ and Further Education institutions' arrangements for long-term extended work placements must include arrangements for CRB checks, where those are thought to be appropriate in line with the *Safeguarding Children in Education* and this, or any other supplementary guidance, issued by the DfES.

6.2 The assessment of the general suitability of the placement will now need to include consideration of whether any additional safeguards are necessary and, if so, whether there is someone who is eligible for a CRB check. Placement organisers are required to make a judgement in each case as to whether someone meets the criteria for a CRB check. Eligibility for CRB checks is governed by the law and only those people who meet defined criteria can be checked. People will be eligible for a CRB check if

'they are in a position the normal duties of which include regularly caring for, training, supervising, or being in sole charge of a child.' Normal duties will generally mean that the function is written down in a job description, however, this may not always be the case. The eligibility criteria for CRB checks refer to a "position" which can be entirely separate from someone's job and can be a voluntary activity such as a workplace mentor (see 7.4 below).

6.3 This does not mean that every person coming into contact with the child during the placement must be CRB checked. There may be someone in most long-term extended work placements who has a designated responsibility for the child and who has contact with them on the days when they are at the placement and who meets the criterion for a check. Equally, there may be some circumstances, because of the nature of the workplace or the organisation of the placement, where there is no one eligible for a CRB check. This might be the case, for example, where there is a member of staff who is responsible for liaison with the placement organisers and for general oversight of students, but who does not have regular contact with them. In other circumstances the student may move around different departments or workstations so that s/he interacts with a number of people during the placement who each take some responsibility for supervising him/her. In this case there may be no single individual who meets the criterion, and a CRB check on all of the staff the child might come into contact with would not be appropriate.

6.4 The LEA, school or FE institution should decide whether or not a CRB check is necessary in the circumstances pertaining in each long-term extended placement. Where this function is delegated to a placement organiser any decision on whether or not a CRB check is appropriate should be discussed with the LEA or school or FE institution with the prime duty of care for the student. The rationale behind any decision not to have a CRB check should be recorded.

7. Should workplace mentors be CRB checked?

7.1 It is becoming popular to provide students on extended placements with a buddy, coach or mentor to provide additional support. The question arises as to whether such individuals need to be CRB checked. Again this is a situation where the judgement of the placement organiser needs to be applied when the placement is organised and when its general suitability is being assessed.

7.2 A workplace 'buddy' scheme might not require the 'buddies' (i.e. often young workers aged 18-24) to be CRB checked, if this would be a short term activity, not a regular part of the individual's normal duties, that would only last for a short time until the student was settled in.

7.3 The role of the workplace coach can focus on developing specific vocational skills, i.e. there may be a training component. If this is a formal role that is part of the individual's normal duties and the role lasts throughout the duration of the long-term extended placement it is likely that a CRB check will be appropriate.

7.4 The role of workplace mentor is also likely to be eligible for a CRB check even though it may well be a voluntary activity. The eligibility criteria for CRB checks refer to a "position" which can be entirely separate from someone's job and can be a voluntary activity such as the role of a mentor that a person takes on in addition to duties that would be included in the job description. So the role of workplace mentor would be eligible for a CRB check, although the need for that might be reduced by the safeguards described below. In the same way business mentors (people from the world of work) acting as mentors to students in schools have routinely been CRB checked. However, there are safeguards, short of CRB checks, that could be introduced. For instance, as with all mentoring programmes, the purpose and boundaries of the relationship need to be clarified to the mentee during their preparation and to the mentor in their briefing or training session. In good practice, all meetings should take place at the workplace and should not be in private; there should not be contact outside of the workplace setting, and a more senior member of staff should monitor the mentoring programme.

7.5 In some Young Apprenticeship partnerships there are plans to designate Apprentices aged 18-25 as 'supervisors' to the Young Apprentices. Whether or not the Apprentices acting as supervisors would need to be CRB checked would depend on the precise nature of their role. It is possible, however, that it is a more informal relationship designed to give the older Apprentices a sense of responsibility for their younger peers and to improve their communication skills etc. In these circumstances there should be a more senior employee who monitors these supervisory relationships and to whom the Young Apprentice can turn in the event of any difficulties.

8. How should the CRB checking process be managed?

8.1 As stated above staff to be CRB checked must be eligible, i.e. their '*normal duties will include regularly caring for, training, supervising or being in sole charge of a child*'. In order for this to be the case they must either have been appointed to such a position or have had an internal promotion or volunteered to take on this additional responsibility. It follows that people volunteering or applying for a position where their '*normal duties*' mean they may become eligible for CRB checks should be made aware that a CRB check is likely.

8.2 The responsibility for the CRB check should lie with the LEA/school/institution who will ask the person to complete the CRB form which will be submitted for a check at the Enhanced level (as they are classed as volunteers the checks are free of charge). The results of the check will be sent to the individual with a copy to the LEA/school/institution. A criminal record per se will not necessarily debar someone from taking on a role in relation to children. The LEA/ school/institution will consider any information revealed by the check and judge a person's suitability in the same way as for any other prospective volunteer or member of staff seeking work with children. NB. It is not appropriate for the placement organiser to arrange checks if that is not the LEA, school, or FE institution responsible for the child. It is the LEA/school/institution that is

responsible for the child that must access any information revealed by a check and make the decision about the person's suitability.]

8.3 A CRB check which resulted in the person being debarred from a role in working with children might mean that the placement organiser would not choose to use that placement (if it was part of the initial process of setting up placements – not all placements might be used perhaps because of not enough young people). In this way the employer may be unaware of the results of the check. However, it may be that having committed to a scheme an employer later ‘identifies’ a member of staff to supervise or train the student and they become eligible. Under these circumstances where a CRB check will be required it would be preferable for an employer to ask for volunteers from among experienced, trusted staff rather than allocating the responsibility without giving staff the opportunity to decline.

8.4 The Criminal Records Bureau have a commitment to turn round 92% of Standard Disclosure checks within 14 working days and 90% of Enhanced Disclosure checks within 25 days.

Ian Hughes
Team Leader
Enterprise and School Business Links Team
Department for Education and Skills
Annex: *Safeguarding Children in Education*