

# BEST TUTORS

## STAFF &

## STUDENTS

## HANDBOOK

# 2023-2024

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**STAFF HANDBOOK INTRODUCTION**

Welcome to Best Tutors. The aim of this Staff Handbook is to provide you with general information about your employment and therefore it is important you take time to read it. It has been designed as an easy reference guide for you.

This Staff Handbook draws together information on Company policies and procedures about key aspects of your employment, and covers many of the more general topics about which employees sometimes ask questions. It illustrates our intention to treat all employees fairly and consistently and to follow the law as regards employment practices. However, it is not intended to cover every situation or to explain everything about your employment.

If there is anything in this Staff Handbook which you do not understand or on which you require further clarification, you should in the first instance speak to your supervisor.

**Contractual status**

Your contractual terms and conditions of employment are contained within the following documents:

- ① Contract of Employment / Statement of Terms and Conditions of Employment
- ① the sections of this Staff Handbook that are expressed to have contractual effect or to form part of your contract of employment

Other sections of this Staff Handbook contain some Company policies, guidelines and useful information that do not form part of your contract of employment.

**Changes to the Staff Handbook**

From time to time, this Staff Handbook may be amended and updated. We may amend or vary any non-contractual policies and procedures at any time for various reasons relating to business needs or to reflect legal developments but will make every effort to notify you where there has been an official change to any policy or procedure.

We may also amend or vary any contractual policies and procedures from time to time in order to reflect legislative or other employment law developments and we may make minor, non-fundamental or procedural changes to contractual policies and procedures for reasons relating to business needs. Again, we will make every effort to give you notice of any such changes. We will consult with the workforce regarding any proposals to make substantive changes to contractual policies and procedures.

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You are responsible for keeping up-to-date with the Company's policies and procedures. A copy of the latest version of this Staff Handbook is located in the office of each department and is also accessible from our website with your personal log-in details. It is important that you continue to familiarise yourself with the current Staff Handbook on a regular basis and refer to it during your employment with us.

## **ACCIDENTS AND EMERGENCIES**

### **Policy Statement**

This organisation recognises its responsibility to ensure that all reasonable precautions are taken to provide working conditions which are safe, healthy and compliant with all statutory requirements and codes of practice. However, the organisation recognises that accidents are, even in the safest of working environments, from time to time inevitable, despite the best efforts of staff. Such occurrences must be handled by the organisation and by its staff so as to minimise threat and injury to all, including children, staff and the general public. They must also be reported, and these reports acted upon by the organisation so that accidents can be minimised in the future and the organisation and staff can learn from their experiences.

The organisation understands "accidents and emergencies" to cover an accident or injury to a member of staff or a children or relative, including health and safety accidents such as trips, falls and cuts. Fires are dealt with in a separate Fire Policy. Dealing with aggression and violence is dealt with in a separate Behaviour management Policy. The rendering of Basic Life Support is dealt with in a separate Basic Life Support Policy.

### **The Policy**

This policy is intended to set out the values, principles and policies underpinning this organisation's approach to an accident, emergency or crisis.

The goals of the organisation are to ensure that:

- ① All accidents and incidents are appropriately dealt with
- ① All accidents and incidents involving injury to staff or children are reported and recorded, no matter how minor
- ① All reported accidents or incidents are fully investigated
- ① The results and recommendations from investigations are fully implemented to prevent any re-occurrence of such incidents
- ① The organisation complies fully with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

①

### **Action to be taken in the Event of an Accident or Injury**

In the event of an accident, incident or emergency staff should take the following action:

① In the event of a minor injury or health related incident, the First Aid Policy should be followed and first aid care rendered according to the situation and the member of staff's capabilities and training. Following such an incident, an incident or accident form should be completed and the parents informed.

① In the event of an injury where medical attention is considered advisable or necessary, an ambulance should be called as appropriate. If there is any doubt about the need for medical attention, an ambulance should be called immediately.

If the first-aider, decides that an ambulance is appropriate, they should follow the procedure below.

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- ① Call 999 and make arrangements for an ambulance to be sent immediately. It is essential that the precise location of the occurrence is given and the nearest point of access for the ambulance suggested.
- ① Make arrangements for the ambulance to be met by a relative or other person as appropriate and if available.
- ① Ensure that the child is accompanied to hospital, where appropriate, by a responsible person and that they contact the organisation's main office soon after arrival at the hospital, to give updated information on the condition and location of the casualty.
- ① Contact the main office or a line manager to report the incident and make arrangements for the appropriate forms to be completed.

**Note:**

If a first aider is unsure about the course of action to take, or in the event of complications then they should contact their line manager or the head office for advice.  
The first aider, attending to the casualty should then ensure that the line managers/health and safety officer is notified of the accident/illness, as appropriate.  
The responsible line manager should then ensure that arrangements are made for family/carers of the casualty to be advised fully of the situation, if necessary, and to ensure that an incident report form and any other relevant paperwork is completed as soon as possible.  
In the event of an injury requiring first aid, where a fire is reported, where there is violence and aggression or where a child goes missing, then the appropriate policy should be followed.

**Accident or Incident Reporting**

In this organisation all accidents, incidents, emergencies and "near misses" must be recorded and reported to the management using a standard incident form. Accident and incident reports should then be dealt with according to the Accident and Incident Reporting Policy. Employers must by law notify certain categories of accidents, specified cases of ill health and specified dangerous occurrences to the Health and Safety Executive (HSE) or the local authority (LA) to comply with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). Please note: any medication incidents are reported via the separate error record in the medication plan of care. A written record should be kept of any accident or incident, however minor, which occurs in the organisation.

**Training Statement**

All staff receive Induction training in the organisation's policy for dealing with accidents and emergencies. Paediatric first aid training sessions are conducted at least annually and all relevant staff should attend. These sessions should cover the drill of how staff should act in an emergency situation. All employees of the organisation are given adequate training and information on accidents at work and how to avoid them.

**ACCIDENT AND INCIDENT REPORTING [RIDDOR]**

**Policy Statement**

This organisation recognises its responsibility to ensure that all reasonable precautions are taken to provide working conditions that are safe, healthy and compliant with all statutory requirements and codes of practice. It is a legal requirement to have a member of staff with current (Ofsted approved) paediatric first aid training is on the premises or on an outing at any one time. We aim to have all our staff first aid trained, so all staff are able to take action to apply first aid treatment in the event

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of an accident involving a child or adult. We follow the guidelines of Ofsted and the Reporting Injuries, Diseases and Dangerous Occurrences (RIDDOR) for the reporting of accidents and incidents. Child protection matters or behavioural incidents between children are NOT regarded as incidents and there are separate procedures for this.

The organisation recognises that even in the safest of working environments accidents are, from time to time, inevitable. The Health and Safety at Work Act 1974 requires employers to ensure the health, safety and welfare of all their employees as far as is reasonably practicable. As part of this commitment, employers must, by law, notify certain categories of accidents, specified cases of ill health and specified dangerous occurrences to the Health and Safety Executive (HSE) or the local authority (LA) to comply with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). This is necessary so that the Health and Safety Executive HSE can determine trends and patterns in workplace accidents and put in place legislation and guidelines that will safeguard workers all over the UK. It also helps the organisation to determine local patterns and causes of accidents so that it can ensure that preventative measures are in place to avoid a recurrence. Therefore, in this organisation, all accidents, incidents and “near misses” must be recorded and reported to the management.

#### **The Policy**

This organisation ensures that:

- ① It complies fully with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)
- ① All accidents and incidents involving injury to staff or children are reported and recorded in the accident book, no matter how minor
- ① All reported accidents or incidents are fully investigated
- ① The results and recommendations from investigations are fully implemented to prevent any recurrence of such incidents.

#### **Recording and reporting of accidents and incidents**

An Accident Book is provided in the organisation’s main office to keep a record of all accidents which occur, whether they are notifiable or not.

- ① All children’ notes must be updated to include information of the accident or incident and subsequent actions required.
- ① Accident/incident report forms are available from the main office or kept in the children files. They should be completed as soon as possible and the office informed immediately.
- ① All accident and incident reports are reviewed monthly and action taken where required to prevent where possible further occurrences.
- ① They are reviewed by the manager to identify any potential or actual hazards. All forms are kept for future reference for at least 21 years and 3 months

#### **Dealing with incidents and emergencies**

We meet our legal requirements for the safety of our employees by complying with RIDDOR. We report to the Health and Safety Executive:

#### **Accident Reporting - RIDDOR**

The following are reportable, if they arise ‘out of or in connection with a work related accident:

- ① Any accident to a member of staff requiring treatment by a general practitioner or hospital.
- ① suffering a specified\* injury; being absent from work or unable to do their normal duties for more than seven days

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- ① accidents which result in an employee or a self-employed person dying, with the exceptions of suicide
- ① Any dangerous occurrence - this may be an event that causes injury or fatalities or an event that does not cause an accident but could have done, such as a gas leak
- ① When there is any injury requiring general practitioner or hospital treatment to a child, parent, volunteer or visitor or where there is a death of a child or adult on the premises, we make a report to the Health and Safety Executive using the format for RIDDOR and notify Ofsted. the death of any worker or non-worker in a work related accident
- ① an employee or self-employed person has one of the specified occupational diseases or is exposed to carcinogens, mutagens and biological agents
- ① specified dangerous occurrences, which may not result in a reportable injury, but have the potential to do significant harm

#### **\*Specified injuries to workers**

The list of 'specified injuries' in RIDDOR 2013 replaces the previous list of 'major injuries' in RIDDOR 1995. Specified injuries are (regulation 4):

- ① fractures, other than to fingers, thumbs and toes
- ① amputations
- ① any injury likely to lead to permanent loss of sight or reduction in sight
- ① any crush injury to the head or torso causing damage to the brain or internal organs
- ① serious burns (including scalding) which:
  - ① covers more than 10% of the body
  - ① causes significant damage to the eyes, respiratory system or other vital organs
  - ① any scalping requiring hospital treatment
- ① any loss of consciousness caused by head injury or asphyxia
- ① any other injury arising from working in an enclosed space which:
  - ① leads to hypothermia or heat-induced illness
  - ① requires resuscitation or admittance to hospital for more than 24 hours

#### **Who should report?**

The responsible person has the duty to notify and report. **(Senior) Mr Saad Bin Adil Khan**

#### **When to report**

- ① in the case of death as soon as possible
- ① over 7 days\*\* injury must be reported within 15 days of the incident
- ① diseases must be reported as soon as a medical practitioner has notified you in writing of the diseases

#### **\*\*Over-seven-day incapacitation of a worker**

Accidents must be reported where they result in an employee or self-employed person being away from work, or unable to perform their normal work duties, for more than seven consecutive days as the result of their injury. This seven day period does not include the day of the accident, but does include weekends and rest days. The report must be made within 15 days of the accident.

#### **How to report**

Go to [www.hse.gov.uk/riddor](http://www.hse.gov.uk/riddor) and complete the appropriate online report form. All fatal and major injury cases can be reported to the ICC (Incident Contact Centre) by

① phone (Mon-Fri 8.30 – 5.00) 0845 300 9923 out of hours details for more serious reporting can be found at [www.hse.gov.uk/contacts/outofhours.htm](http://www.hse.gov.uk/contacts/outofhours.htm)

① fax, 0845 300 9924

① or post, Incident Contact Centre, Caerphilly Business Park, CF83 3GG

Telephone notification should always be followed up with submission of form F2508. Forms should be completed, online, by the head of the organisation, their deputy or by a senior member of staff as soon as possible after the accident. Copies of the completed form should be kept.

The HSE Incident Contact Centre is able to take written forms only where it is essential, post to:

RIDDOR Reports  
Redgrave Court  
Merton Road  
Bootle  
Merseyside  
L20 7HS

### **Record keeping**

We keep incident forms for recording incidents and emergencies including those that are reportable to the Health and Safety Executive as above.

All records should include;

- ① The date, time and place of the incident that occurred
- ① The name, address and job of the injured or ill person
- ① Details of the injury/illness and what aid was given
- ① What happened to the person immediately afterwards (e.g., went back to work, went to hospital)
- ① The name and signature of the first aider or person that dealt with, or was witness to, the incident.

These incidents include:

- ① break in, burglary, theft of personal or the setting's property;
- ① an intruder gaining unauthorised access to the premises;
- ① fire, flood, gas leak or electrical failure;
- ① attack on member of staff or parent on the premises or nearby;
- ① any racist incident involving staff or family on the centre's premises;
- ① death of a child, and
- ① Terrorist attack, or threat of one.

There is a legal requirement that written records of reportable accidents and dangerous occurrences (i.e., those which must be reported to the appropriate enforcing authority) be kept for a minimum of three years.

We have ready access to telephone numbers for emergency services, including local police, and contact numbers for gas and electricity emergency services.

The manager must also inform the insurance company

### **Training Statement**

All employees of the organisation will be given adequate training and information on accidents at work and how to avoid them. Such training should focus on specific risk areas. All new staff should be encouraged to read the policy on health and safety and on accident reporting as part of their induction process. In addition, all staff will be appropriately trained to perform their duties safely

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and competently and those staff that need to use specialist equipment will be fully trained and supervised while they are developing their competency.

### **ALCOHOL AND DRUGS POLICY**

The Company has a duty to protect the health, safety and welfare of all its employees. However, the Company recognises that, for a number of reasons, employees could develop alcohol or drug related problems. In relation to drugs, these rules apply to those that are unlawful under the criminal law and not to prescribed medication. These rules aim to promote a responsible attitude to drink and drugs and to offer assistance to employees who may need it.

The law on alcohol and drugs at work  
Health and Safety at Work Act 1974:  
Misuse of Drugs Act 1971:

Makes it an offence to possess, supply or offer to supply or produce controlled drugs without authorisation. It is also an offence for the occupier of premises to permit knowingly the production or supply of any controlled drugs or allow the smoking of cannabis or opium on those premises. Under common law it is an offence to “aid and abet” the commission of an offence under the Misuse of Drugs Act.

This organisation enforces a strict no alcohol or drugs on duty regime. Both alcohol consumption and illegal drug taking impair judgement, reaction time and the employee’s ability to carry out their duties, thereby placing themselves, children and young people at considerable risk.

#### **Prohibition on alcohol and drug consumption in the workplace**

No alcohol or drugs must be brought onto or consumed on Company premises at any time or whilst attending any training courses, whether internal or external, and for these purposes this includes performance-enhancing drugs used for “doping” purposes, even if they are not unlawful under the criminal law, unless they have been medically prescribed by a doctor. Staff must never drink alcohol or take drugs if they are required to drive private or Company vehicles on Company business. Staff must also not drink alcohol or take drugs when they are at work. It is expressly prohibited due to the nature of the business that any employee, parent, student or contractor be present on the premises intoxicated or under the influence.

Social drinking after normal working hours and away from the Company’s premises is, of course, generally a personal matter and does not directly concern the Company. The Company’s concern only arises when, because of the pattern or amount of drink involved, the employee’s attendance, work performance or conduct at work deteriorates.

A breach of these provisions is a disciplinary offence and will be dealt with in accordance with the Company’s disciplinary procedure. Depending on the seriousness of the offence, it may amount to gross misconduct and could result in the employee’s summary dismissal.

Incapacity or misconduct caused by alcohol or drugs at work is a potential gross misconduct offence under the Company’s disciplinary procedure and the employee is therefore liable to be summarily dismissed. This also applies to any employee believed to be buying or selling drugs or in possession of or taking drugs on the Company’s premises.

The Company reserves the right in circumstances of alcohol and drug related misconduct to arrange

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for the employee to be escorted from the Company's premises immediately and sent home without pay for the rest of the day or shift. The Company also reserves the right to suspend the employee on full pay while carrying out an investigation.

Head of departments and supervisors will be educated to recognise the signs of alcohol or drug consumption in staff and supported to act quickly in a situation of drug or alcohol abuse so as to protect and safeguard the children, young people and others.

### **APPRAISAL POLICY**

This policy outlines the procedures and practices for supervisions and appraisals towards supporting and developing the staff. We recognise that managers can objectively and fairly measure or evaluate the performance of staff members by holding a formal annual appraisal meetings. This will involve reviewing of past and current performance, setting of goals and objectives for the following year. This is a good time to discuss the overall development and career aspirations of a member of staff and to put in place a training plan which seeks to support their work, develop personal and professional skills to realise their potential and creating a culture of mutual support dedication and teamwork.

A performance appraisal will be carried out on each employee at least once per year. The review is to be carried out around October/November each year but may vary depending on the needs of the company and, in any event, is in the absolute discretion of the Company.

The employee will attend a meeting with their supervisor/head of department/director to discuss their work performance. The objectives of the meeting will be to:

- discuss the previous year's achievements
- identify any shortfalls in achieving objectives and establish the reasons for any shortfalls
- if necessary, agree any changes required to objectives and actions required to improve the employee's performance and/or to enable them to achieve their full potential in the work they carry out for the Company
- consider any future training, development and career needs for the employee
- discuss opportunities for advancement or alternative work
- evaluate whether the Capability Procedure needs to be evoked due to poor performance
- A written record of the appraisal should be made with a copy of the appraisal and personal development plan placed on the personnel file of each care or support worker and another copy held by the worker themselves
- A six month review should be held for each member of staff to check that all is going to plan and to make any necessary readjustments to the plan
- All managers will be trained in providing appraisal and performance review before they are asked to conduct an appraisal.

The employee should also set out what actions they intend to take to develop themselves and they must assist in making the performance review process a worthwhile exercise. After the meeting, the employee's supervisor will complete an appraisal form as a record of the discussions that took place at the meeting. The completed appraisal form must be viewed as a working document and as such should be continually referred to and reviewed throughout the year by both employees and

supervisors. Any employee who feels that their appraisal was entirely unsatisfactory or unfair to them may ask that a senior manager review the appraisal with them and their supervisor.

Those employees who are still in their probationary period will not receive an annual appraisal. Instead, their performance will be reviewed, independently of the annual appraisal process, during and at the end of the probationary period.

### **ACCESS TO RECORDS AND FILES POLICY**

#### **Policy Statement**

Best Tutors adheres fully to the Data Protection Act 1998 which states that: all records required for the protection of children and young people and for the effective and efficient running of the organisation should be maintained accurately and should be up-to-date; that children and young people should have access to records and information about them held by the organisation; and that all individual records and organisation records should be kept in a confidential and secure fashion.

#### **The Policy**

This policy is intended to set out the values, principles and policies underpinning this organisation's approach to access to records. The aim of the organisation is to ensure that children and young people can be assured that the protection of their privacy and confidentiality are given the highest consideration.

#### **Access to Records/Files Policy**

Best Tutors believes that access to information and the security/privacy of data is an absolute right of every children and young people and that they are entitled to see a copy of all personal information held about them and be given the opportunity to correct any error or omission.

Therefore, in this organisation:

- ① Staff, young people and parents should have access to their records and information about them held by the organisation, as well as opportunities to help maintain their personal records in the case of records kept in the home
- ① Individual records and organisation records required for the protection of children and young people should at all times be kept in a secure fashion and should be constructed, maintained and used in accordance with the Data Protection Act 1998 and other statutory requirements.

Any person requiring access to their files should contact the head of the organisation to make arrangements to view. Persons with sensory or other disabilities should be given appropriate help and support from an independent source as required e.g., an Advocacy Service.

The viewing of certain records may only be refused in the following circumstances, as consistent with the Data Protection Act 1998:

- ① Where disclosing the personal data would reveal information which relates to and identifies another person, unless that person has consented to the disclosure or it is reasonable to comply with the request without that consent
- ① Where permitting access to the data would be likely to cause serious harm to the physical or mental health or condition of the data subject or any other person

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children and young people who have a complaint about the way that the organisation keeps files about them, or who are refused access to files that they believe they should have access to, should be referred to the Data Protection Information Commissioner.

#### **Information Commissioner`s Office**

All relevant providers must be registered with the above in order that they may collect , hold , store and retrieve personal information. The inminated Data Controller within Best tutors is **(Head) Mr Shahbaz.**

#### **Training Statement**

All new staff should be encouraged to read the policies on data protection, confidentiality, access to files and record keeping as part of their induction process. Training on the correct method for entering information in children and young people records should be given to all staff. The nominated data user/data controller for the organisation should be trained appropriately in the Data Protection Act 1998. All staff requiring use of the computer system should be thoroughly trained to do so.

## **ANTI BRIBERY AND CORRUPTION POLICY**

#### **Introduction**

One of the Company`s core values is to uphold responsible and fair business practices in an honest and ethical manner. We are committed to promoting and maintaining the highest level of ethical standards in relation to all of our business activities. Its reputation for maintaining lawful business practices is of paramount importance and this. We will uphold all laws relevant to countering bribery and corruption. We remain bound by the laws of the UK, including the Bribery Act 2010, in respect of our conduct both at home and abroad

Policy is designed to preserve these values. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our relationships and business dealings wherever we operate and to implementing and enforcing effective systems to counter bribery.

The purpose of this policy is to:

- (a) Clearly set out our responsibilities, and of those working for us, in observing and upholding our position on bribery and corruption; and
- (b) Provide information and guidance to those working for us on how to recognise and deal with bribery and corruption issues.

This Policy applies to all permanent and temporary employees of the Company (including any of its intermediaries, subsidiaries or associated companies). It also applies to any individual or corporate entity associated with the Company or who performs functions in relation to, or for and on behalf of, the Company, including, but not limited to, directors, agency workers, casual workers, contractors, consultants, seconded staff, agents, suppliers and sponsors ("associated persons"). All employees and associated persons are expected to adhere to the principles set out in this Policy.

#### **Definition(s) of Bribery**

"Giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so."

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“A form of corruption, an act of implying money or gift given that alters the behaviour of the recipient.”

“The offering, giving, receiving or soliciting of any item of value to influence the action of an official or other person in charge of a public or legal duty”

The “bribe” is the gift bestowed to influence the recipients conduct. It may be any money, goods, property, preferment, privilege, emolument, object of value, advantage or merely a promise or undertaking to induce or influence the action, vote or influence of a person in an official or public capacity.

### Legal obligations

The UK legislation on which this Policy is based is the Bribery Act 2010 and it applies to the Company’s conduct both in the UK and abroad. A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

It is an offence in the UK to:

- ① Offer, promise or give a financial or other advantage to another person (i.e. bribe a person), whether within the UK or abroad, with the intention of inducing or rewarding improper conduct
- ① request, agree to receive or accept a financial or other advantage (i.e. receive a bribe) for or in relation to improper conduct
- ① Bribe a foreign public official.

You can be held personally liable for any such offence.

It is also an offence in the UK for an employee or an associated person to bribe another person in the course of doing business intending either to obtain or retain business, or to obtain or retain an advantage in the conduct of business, for the Company. The Company can be liable for this offence where it has failed to prevent such bribery by associated persons. As well as an unlimited fine, it could suffer substantial reputational damage.

### Policy statement

All employees and associated persons are required to:

- ① comply with any anti-bribery and anti-corruption legislation that applies in any jurisdiction in any part of the world in which they might be expected to conduct business
- ① act honestly, responsibly and with integrity
- ① Safeguard and uphold the Company’s core values by operating in an ethical, professional and lawful manner at all times.

Bribery of any kind is strictly prohibited. Under no circumstances should any provision be made, money set aside or accounts created for the purposes of facilitating the payment or receipt of a bribe.

The giving of business gifts to clients, customers, contractors and suppliers is not prohibited provided the following requirements are met:

- ① the gift is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage
- ① it complies with local laws
- ① it is given in the Company’s name, not in the giver’s personal name
- ① it does not include cash or a cash equivalent (such as gift vouchers)
- ① it is of an appropriate and reasonable type and value and given at an appropriate time

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- ① it is given openly, not secretly
- ① It is approved in advance by a director of the Company.
- ①

#### **Responsibilities and reporting procedure**

It is the contractual duty and responsibility of all employees and associated persons to take whatever reasonable steps are necessary to ensure compliance with this Policy and to prevent, detect and report any suspected bribery or corruption. You must immediately disclose to the Company any knowledge or suspicion you may have that you, or any other employee or associated person, has plans to offer, promise or give a bribe or to request, agree to receive or accept a bribe in connection with the business of the Company. For the avoidance of doubt, this includes reporting your own wrongdoing. The duty to prevent, detect and report any incident of bribery and any potential risks rests not only with the directors of the Company but equally to all employees and associated persons.

The Company is committed to taking appropriate action against bribery and corruption. This could include either reporting the matter to an appropriate external government department, regulatory agency or the police and/or taking internal disciplinary action against relevant employees and/or terminating contracts with associated persons.

The Company will support anyone who raises genuine concerns in good faith under this Policy, even if they turn out to be mistaken. It is also committed to ensuring nobody suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or corruption offence has taken place or may take place in the future.

#### **Record Keeping**

All accounts, receipts, invoices and other documents and records relating to dealings with third parties must be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off the record" to facilitate or conceal improper payments.

#### **Sanctions for breach**

A breach of any of the provisions of this Policy will constitute a disciplinary offence and will be dealt with in accordance with the Company's disciplinary procedure. Depending on the gravity of the offence, it may be treated as gross misconduct and could render the employee liable to summary dismissal.

As far as associated persons are concerned, a breach of this Policy could lead to the suspension or termination of any relevant contract, sub-contract or other agreement.

As the law relating to anti-bribery is ever changing, this policy may be subject to change in line with statutory requirements. The policy may therefore be amended without prior notice to comply with legislation.

#### **Due Diligence**

This is a well-established element within the corporate governance overview of the SMT (senior management team). It is particularly relevant where third party intermediaries are used, e.g. where local law or convention dictates the use of local agents.

#### **Communication (Including Training)**

Internal and external communication may vary in tone and context dependent upon the relationships and the bribery risks involved. Internal communications should convey a "tone from

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the top” regarding financial control, hospitality, promotional expenditure, charitable or political donations, and penalties for breach of rules. An important aspect is the establishment of a secure confidential and accessible means for internal or external to raise concerns about bribery on the part of the associated parties. All staff must be made aware of the above via training, and it should be incorporated into the whistleblowing policy.

#### **Monitoring and Review**

The importance of a good monitoring and review system within the organisation is vital. These already exist, but the new Act may change the reporting of such audits or reviews.

#### **The Future**

Senior managers will undertake a risk assessment, and procedures, including a formal statement, will then be agreed and communicated to all staff. The legislation is new and complex. The Serious Fraud Office (SFO) will be responsible for any criminal investigations, and like all new legislation, the press reporting and interpretation of what the Act could mean has focused on hospitality and dining. The SFO and the Ministry of Justice are remaining unclear on this part of the Act.

## **BEHAVIOUR & ANTI BULLYING POLICY**

#### **Policy Statement**

From time to time Children and young people present challenging behaviour, violent or aggressive tendencies which need to be fully documented in learner’s individual learning plan. For the purposes of this particular policy, challenging behaviours includes self-harm, self-neglect, self-abuse or harm to others. If challenging behaviour, violent or aggressive tendencies are present then a full and robust risk assessment must be undertaken in order to protect not just the Children and young people, but the staff as well.

#### **Within Best Tutors our aim is to:**

- ① encourage all children to develop positive self - esteem
- ① develop the child within a moral, spiritual and cultural context
- ① have a ‘moral code’ which takes into account the basic values of honesty, fairness and politeness
- ① actively promote respect for each other through good behaviour and anti-bullying and also for our environment and our resources
- ① Providing a happy, secure environment, where children are encouraged to develop social skills to help them be accepted and welcome in society as they grow up.
- ① We will set these boundaries in a way, which helps the child to develop a sense of the significance of their own behaviour, both on their own environment and those around them.

#### **Strategies and in order to promote appropriate behaviour positive strategies will be used which include:**

- ① Any sanctions applied in the case of inappropriate behaviour must take account of the age and stage of development of the child, be relevant to the action or actions and be fair.
- ① Appropriate strategies used; depending on the age, developmental stage and individual needs of the child.
- ① Providing positive attention by, listening and talking to the child.

- ① Providing activities and learning experiences that help children to develop safe ways of dealing with anger and other strong feelings.
- ① Explaining and maintaining clear, reasonable and consistent limits so that children can feel safe and secure in their play and other activities.
- ① Reducing incidents of frustration and conflict by allowing routines flexible so that the child can pursue their interests.
- ① Affirming and praising positive behaviour. Using praise helps to show that we value the child as it helps to build their self-esteem and self-confidence.
- ① Ignoring inappropriate behaviour if it is not harming them, others or property.
- ① Distracting the child, so as to encourage positive behaviour.
- ① Information sharing with parents and/or carers and with their consent shared with other settings caring for the child. This will ensure a consistent approach which benefits the child.
- ① Take a consistent approach to challenging behaviour such as hitting or punching.
- ① Challenging the behaviour, not the child.
- ① How a particular type of behaviour is handled will depend on the child and the circumstances. It may involve the child being asked to talk and think about what he/she has done.
- ① The child will also be asked to see if the child/person who was hurt is all right and to demonstrate that they are sorry.
- ① Children who behave inappropriately by physically abusing another child or adult or by verbally bullying may be removed from the group. The child who is upset will be comforted and the adult will confirm that the other child's behaviour is not acceptable. It is important to acknowledge that a child is feeling angry or upset and that it is the behaviour we are rejecting, not the child.
- ① In extreme cases the child will be removed from the room until he/she has calmed down and had time to reflect on his/her behaviour.
- ① Children need to develop non-aggressive strategies to enable them to stand up for themselves so that adults and children listen to them. They need to be given opportunities to release their feelings more creatively.
- ① Children need their own time and space. It is not always appropriate to expect a child to share and it is important to acknowledge children's feelings and to help them understand how others might be feeling.

Best Tutors, the Management and the staff will manage behaviour according to clear, consistent and positive strategies. Parents/carers are encouraged to contribute to these strategies, raising any concerns or suggestions.

#### **STAFF**

- ① Staff should be aware of potentially dangerous situations and prevent these by explaining quietly and calmly to the child or group of children the effects of their actions.
- ① Helping children to learn and understand how to manage their feelings. By supporting their emotions and feelings. When children know that their feelings are acknowledged they learn to express them, confident that we will help them with how they are feeling.
- ① Helping children understand how to behave outdoors and inside by talking about personal safety, risks and the safety of others.
- ① Intervening if comments/behaviour is racist, sexist or in any way offensive, unsafe, violent or bullying.
- ① Being a positive role model. Children learn values and behaviour from adults.



- ① We want children to recognise that certain actions are right and that others are wrong. By positively promoting good behaviour, valuing co-operation and a caring attitude we hope to ensure that children will develop as responsible members of society.
- ① Children must be encouraged to recognise that bullying, fighting, hurting and racist comments are not acceptable behaviour. We want children to recognise that certain actions are right and that others are wrong.
- ① In this way children will begin to understand what is and isn't acceptable and take responsibility for their own actions. Staff should always avoid shouting or raising their voice.
- ① Staff and children will work together to establish a clear set of 'ground rules' governing all behaviour in the centre. These will be periodically reviewed so that new children have a say in how the rules of the Centre operate. Parents/ carers will also have access to the Centre's Ground Rules to encourage unity and consistency
- ① 'Ground rules' will apply equally to all children, staff and parent/ carers
- ① 'Ground rules' will be put on display in view of the children, staff and parent/carers
- ① Positive behaviour will be reinforced with praise and encouragement
- ① Challenging behaviour will be addressed in a calm but assertive manner. In the first instance, staff will try to re-direct children's energies by offering them alternative and positive options. Staff will be open in stating and explaining non-negotiable issues
- ① When dealing with challenging behaviour, staff will always communicate in a clear, calm and positive manner. For those children who need support in order to behave in an appropriate manner, staff will investigate strategies and offer consistent care whilst at the club
- ① Staff and parent/ carers will make every effort to set a positive example to children by behaving in a friendly and tolerant manner themselves, promoting an atmosphere where children and adults respect and value one another
- ① Staff and parent/ carers will avoid shouting in the centres, unless it is required to stop unsafe, unwanted behaviour immediately.
- ① Staff will facilitate regular and open discussions with children about their behaviour. This will help them to understand the inappropriate aspects of their behaviour and enable them to have their say and be helped to think through the causes and effects of their actions
- ① Staff will work as a team by discussing incidents and resolving to act collectively and consistently
- ① Staff will try to discuss concerns confidentially with parents/carers at the earliest possible opportunity in an attempt to help identify the causes of inappropriate behaviour and share strategies for dealing with it. Children who experience bullying, racism or other unacceptable behaviour will be given the confidence to speak out
- ① Staff will encourage and facilitate mediation between children to try to resolve conflicts by discussion and negotiation.

#### **PARENTS**

- ① We will ensure that the parents/carers are fully informed about and support the actions being taken to modify the child's unacceptable behaviour. However, it may be necessary to use restraining action in an emergency to prevent personal injury or serious damage to property.
- ① Parents will be informed if their child is persistently displaying inappropriate behaviour towards others or if their child has been upset. Parents may be asked to meet with staff to discuss their child's behaviour, so that if there are any difficulties we can work together to ensure consistency between home and Best Tutors.
- ① In some cases we may request additional advice and support from other professionals, along with focused observations on the child.

Best Tutors policy is aimed at creating a dialogue between children, families and ourselves. Parents/carers should feel free to discuss any concerns they may have with the manager. All matters will be treated in the strictest confidence. Parents need to be alerted to potential cases of bullying and appropriate support put in place, either here at Best Tutors or by signposting to other agencies where appropriate to do so. With regard to children with special needs relating to behaviour problems, we will adopt procedures from the SEN Code of Practice working closely with parents, and any relevant outside agencies. Parents will be given copy of our policy and strategies for dealing with behaviour which emphasises the positive aspects of the child rather than focusing on the negative.

### **Physical intervention**

Definition of physical intervention (previously defined as physical restraint):

Physical restraint is the positive application of force with the intention of controlling the child behaviour in order to protect him/her from harming themselves or others or seriously damaging property.

Physical intervention must only be used as a last resort when other strategies have failed. It must serve to de-escalate or prevent a violent or potentially violent situation.

The centre adopts the London borough of Enfield policy for schools, nurseries and Children's centres on the use of physical intervention

A dialogue will be maintained with the child or children at all times, so that the member of staff can explain what they are doing and why they are doing it. Staff will make every effort to avoid the use of physical interventions if they are alone with the child or children. Only the minimum force necessary to prevent injury or damage should be applied. For example, by diverting a child or children by leading them away by a hand or by an arm around their shoulders.

Staff will use physical intervention as an act of care and control and never punishment. Physical interventions will not be used purely to force a child to do what they have been told and when there is no immediate risk to people or property.

As soon as it is safe, the physical intervention should be gradually relaxed to allow the child or children to regain self-control.

The force of the physical intervention will be always appropriate to the age, size and strength of the child or children involved.

If staff are not confident about their ability to contain a particular situation or type of behaviour, consideration will be given to calling the Supervisor or, in extreme cases, the police.

Where a member of staff has had to intervene physically to restrain a child, the Supervisor will be notified and the incident recorded in the Incident Record Book. The incident will be discussed with the parent/carer at the earliest possible opportunity.

If a staff member commits any act of violence or abuse towards a child at the Club, serious disciplinary action will be implemented, according to the provisions of the Staff Disciplinary Procedures Policy.

Best Tutor is aware of the borough's anti bullying policy

## **BULLYING AND HARASSMENT**

"..Behaviour that makes someone feel intimidated or offended..."  
Harassment is unlawful under the Equality Act 2010

Harassment and bullying both involve behaviour which harms, intimidates, threatens, victimises, offends, degrades, humiliates or undermines dignity at work. Harassment tends to focus on gender, race, ethnic background, colour, religion or belief, sexual orientation or disability. Harassment may be a single incident or a series of incidents. Bullying is repeated inappropriate behaviour, direct or indirect and by one or more persons which undermines an individual's right to dignity

Bullying is offensive or intimidating behaviour or an abuse or misuse of power which undermines or humiliates an employee.

An employee unlawfully harasses another employee if they engage in

1) unwanted conduct related to a protected characteristic; or

Unwanted conduct of a sexual nature; and the conduct has the purpose or effect of violating the other employee's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive.

### **Policy Statement**

This organisation believes in a zero tolerance attitude toward bullying and harassment in the work place. This in practice requires that all staff are treated with dignity and respect whilst undertaking their duties in a working environment in which the dignity of all employees is respected and where employees feel able and encouraged to reach their full potential and effectiveness.

Harassment as defined in the Equality Act 2010 is:

Unwanted conduct related to 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.

Bullying may be characterised as

Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

### **The Policy**

The recipient's view is crucial because what one person may find acceptable another may not. Any form of harassment or inappropriate behaviour which causes offence, whether intentional or not, will be treated very seriously and where appropriate will lead to disciplinary action, which could include dismissal, being taken.

### **Examples of unacceptable behaviour:**

- ① Spreading malicious rumours or insulting someone.
- ① Offensive language, swearing.
- ① Copying memos that are critical about someone, to those who do not need to know.
- ① Ridiculing or demeaning someone – setting them up to fail or fail.
- ① Exclusion or victimisation.
- ① Unfair treatment.

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- ① Overbearing supervision.
- ① Sexual harassment – unwelcome remarks such as jokes, innuendos, touching, standing too close, display of offensive materials.
- ① Racial harassment.
- ① Religious discrimination.
- ① Disability discrimination.
- ① Age discrimination.
- ① Offensive material that is displayed publicly
- ① Verbal abuse or comments that belittle people
- ① Unwelcome and hurtful jokes
- ① Direct or subtle threats
- ① Offensive gestures
- ① Ignoring, isolating or segregating a person
- ① Staring or leering in a sexual way
- ① Unwanted physical contact of a sexual nature
- ① Aggressive physical behaviour
- ① Repeated behaviour which a person has previously objected to

**Harassment does not mean:**

- ① Mutually acceptable friendship
- ① Enjoying a joke at work providing that it is not at someone else's expense
- ① Enjoying a joke at work if no-one shows they are offended
- ① Normal operational management of staff in the conduct of their duties

**Keeping perspective:**

If you are in an environment and are uncomfortable about jokes or banter in the environment, it is your responsibility to raise concerns early so they can be dealt with.

**Our responsibilities and actions as a Company**

- ① We promote an environment where no-one is harassed or victimised.
- ① All management employees are aware of this policy and aim to ensure that all Workers are treated fairly and that no-one is harassed or victimised.
- ① To be observant and alert to the kind of behaviour which might indicate a problem, i.e. where one employee is always critical of another or where an employee is left out of social interaction.
- ① To deal with any form of harassment or intimidation at an early stage, this may be initially informally as the accused may not be aware their behaviour is causing offence. If this approach is not successful then written statements will be taken from the complainant and the accused and an investigation will be undertaken seeking advice from senior management or outside agencies as deemed necessary. Where possible, steps will be taken to ensure the two parties are not placed in a situation where the matter can be aggravated. If the outcome of the investigation shows that there is a reasonable belief of bullying and harassment it is within the realm of the employer to take disciplinary action against that employee.
- ① To offer support for the victims of harassment or bullying.

**Responsibilities of the Employee**

- ① All employees must comply with this policy.
- ① Employees must be aware that it is their personal responsibility not to harass, bully or intimidate another employee.

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① If an employee becomes aware that a colleague is experiencing harassment or bullying it is part of their duty of care not to allow it to continue by reporting all incidents to a manager

### **How to report an allegation of bullying and harassment**

Very often people are not aware that their behaviour is unwelcome or misunderstood and an informal discussion can sometimes help to solve the problem. However, if you feel you are being bullied or harassed, we realise that the situation may be sensitive and may make you feel vulnerable or in fear of reprisal and therefore, may make it difficult for you to make an allegation. Subsequently, we suggest you consider discussing matters informally with your manager, in confidence, who will then be able to support you when pursuing the matter. If you feel able to do so, you should then raise the matter informally with the perpetrator, with your manager to support you.

If this does not solve the problem, or if the matter is more serious, (or if you do not feel able to do so,) you should report the matter to the manager as a formal written grievance.

### **Reporting complaints**

All allegations of harassment, bullying or intimidation will be dealt with seriously, confidentially and speedily. The Company will not ignore or treat lightly grievances or complaints of harassment from employees.

While the Company encourages employees who believe they are being harassed or bullied to notify the offender (by words or by conduct) that his or her behaviour is unwelcome, the Company also recognises that actual or perceived power and status disparities may make such confrontation impractical. In the event that such informal direct communication is either ineffective or impractical, or the situation is too serious to be dealt with informally, you should follow the procedure set out below.

If you wish to make a complaint of harassment, bullying or intimidation, whether against a fellow employee or a third party, such as a client, customer, contractor or supplier, you should follow the following steps:

- 1.** First of all, report the incident of harassment to your supervisor. If you do not wish to speak to your supervisor, you can instead speak to an alternative supervisor.
- 2.** Such reports should be made promptly so that investigation may proceed and any action taken expeditiously.
- 3.** All allegations of harassment will be taken seriously. The allegation will be promptly investigated and, as part of the investigatory process, you will be interviewed and asked to provide a written witness statement setting out the details of your complaint. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate an allegation, the Company must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation.

For example, the identity of the complainant and the nature of the allegations must be revealed to the alleged harasser so that he or she is able to fairly respond to the allegations. The Company reserves the right to arrange for another supervisor to conduct the investigation other than the

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supervisor with whom you raised the matter.

4. Once the investigation has been completed, you will be informed in writing of the outcome and the Company's conclusions and decision as soon as possible. The Company is committed to taking appropriate action with respect to all complaints of harassment which are upheld. If appropriate, disciplinary proceedings will be brought against the alleged harasser.

5. You will not be penalised for raising a complaint, even if it is not upheld, unless your complaint was both untrue and made in bad faith.

6. If your complaint is upheld and the harasser remains in the Company's employment, the Company will take all reasonable steps to ensure that you do not have to continue working alongside him or her if you do not wish to do so. The Company will discuss the options with you.

7. If your complaint is not upheld, arrangements will be made for you and the alleged harasser to continue or resume working and to repair working relationships. Alternatively, you may, if you wish, use the Company's grievance procedure to make a complaint of harassment.

#### **Grievance**

we endeavour to manage grievances in a timely and confidential manner via an investigation to establish full details of what happened. Your name and the name of the alleged harasser will not be divulged other than on a "need to know" basis to those individuals involved in the investigation. At the outset, someone with no prior involvement in the complaint will be appointed. The investigation will be impartial and objective, and will be carried out sensitively and with due respect for the rights of all parties concerned.

Consideration will be given to whether the alleged harasser or bully should be redeployed temporarily, or suspended on contractual pay or whether reporting lines or other managerial arrangements should be altered pending the outcome of the investigation.

As part of the investigation, the person will meet with you to hear your account of the events leading to your grievance. You have the right to be accompanied by a colleague of your choice. The investigating officer will also meet with the alleged harasser or bully who may also be accompanied by a colleague. It may also be necessary to interview witnesses to any of the incidents mentioned in your grievance. Where it is necessary to interview witnesses, the importance of confidentiality will be emphasised to them.

At the conclusion of the investigation, the outcome of the findings will be notified to both you and the alleged harasser usually within two weeks of your complaint first being reported.

If the conclusion is that harassment or bullying has occurred, prompt action will be taken to stop the harassment or bullying immediately and prevent its recurrence.

The findings will be dealt with under the disciplinary procedure. Consideration will be given to whether the harasser or bully should be dismissed and, if not, whether he or she should remain in his or her current post or be transferred. Even where a grievance is not upheld, (for example, where evidence is inconclusive), consideration will be given to how the on-going working relationship between you and the alleged harasser or bully should be managed. This may involve, for example,

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arranging some form of mediation or counselling or a change in the duties or reporting lines of either party.

Should the investigation show that there may be a case to answer the organisations disciplinary procedure will be invoked against the alleged perpetrator.

#### **Confidentiality**

At all times throughout the process and after, all parties involved, including the alleged perpetrator, the victim, the manager, and any witnesses will need to give due consideration to confidentiality. As such, all parties will be reminded that they should not breach confidentiality and should not discuss the matter with anyone outside of the procedure.

Details of the investigation and any subsequent disciplinary procedure which may take place will be kept on the employees personnel file.

#### **Untrue claims**

Whilst we will support all parties during and after a thorough and objective investigation into the allegation as appropriate, if through the course of the investigation and subsequent disciplinary meetings evidence demonstrates that the allegation has been made maliciously, or for personal gain, then the individual making the complaint will be subject to Disciplinary proceedings as outlined in the organisation's Disciplinary Policy.

#### **Appeals**

if you are not satisfied with the outcome of the investigation, you have the right to appeal the decision within 7 calendar days of being notified of the outcome. You should submit your full written grounds of appeal to another manager **Mrs Shamayah Abdullah (head of legal department)** the person hearing your appeal will meet with you to discuss your appeal. You may be accompanied by a colleague or Trade Union Official. You will normally be notified of the outcome of the appeal within fourteen days of this meeting. This is the final stage of the formal procedure.

Further Guidance and advice is available from ACAS

<https://www.gov.uk/workplace-bullying-and-harassment>

## **BUSINESS CONTINGENCY AND EMERGENCY PLANNING**

#### **Definitions**

An emergency is any event which causes, or has the potential to cause injury, loss of life, damage to property or significant business disruption.

A disaster is the escalation of an emergency to the point where normal conditions are not expected to be recovered for at least 24 hours.

#### **Policy Statement**

This organisation is aware of its responsibilities in respect to delivery of its commissioned services. This policy sets out the contingency arrangements which can be implemented when an unplanned critical or emergency event or force majeure situation arises.

#### **The Policy**

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This policy aims to enable service delivery to take place even in unplanned situations. Working with multi-agency partners, this organisation would seek to ensure the following measures were in place to minimise any disruption to planned services and to co-operate in any way possible to assist in any force majeure situation which may arise.

### **Procedures**

The following sets out how we at this organisation would seek to minimise the impact of unplanned situations.

### **Strategy**

If a disaster is declared by Best Tutors Business Continuity Plan will be activated. All staff will be communicated via email or text and the website will be updated if it is operational.

The following organisations may need to be advised of the implementation of the Business Continuity Plan as soon as possible:

- ① Director of Children's Services 020 8379 2507
- ① (Out of office hours call: 020 8379 1000 (select option 2))
- ① Health and Safety Advisors
- ① Health and Safety Executive (HSE) 0345 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm).

Other – use RIDDOR.

- ① Insurance company
- Commercial Express: certificate No CEQ935990/05/16 Tel: [0845 094 2077]
- ① Local Police 999
- ① Local Fire Service 999

### **Roles and Responsibilities**

Duty manager, senior management team (SMT) and co-ordination of the BCP:

- ① Immediately contacting the Director if the disaster relates to the built environment or the ICT infrastructure to establish if the building can be re-occupied and/or service delivery re-instated.
- ① Co-ordination of status reports/communication for the benefit of staff, children, parents, Emergency team at Local Authority, press etc).
- ① Maintaining the BCP in an up-to-date format.

### **Incident Management Team (IMT)**

Lead by the Director, Incident Management Team includes duty manager, senior management team (SMT) and co-ordination of the BCP and Site Manager. Additional members of the team may be recruited to match the specific needs of the incident. The IMT is responsible for acting under the direction of Director to restore normal conditions as soon as possible.

### **Staff**

Staff are required to co-operate with the Incident Management Team in support of the BCP. In the event that staff are sent home, they are required to remain available during normal working hours to assist with any necessary tasks.

### **Crisis Kit**

This should be located in the Director office and include a Business Continuity Policy/Plan, a fully charged mobile phone, a copy the copy of the Local Authority Emergency procedure, a First Aid kit,

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a copy of the Fire Safety/Evacuation Policy and contact details for all staff, and relevant local authority personnel.

#### **Procedure for closing**

##### **Closure during a Day**

This is not a preferred option to close the during a day but in case this needs to be done then it can be done using the following procedures:

1. Closure authorised by the Director or their Deputy.

Children will be supervised by staff until the parents come to collect them, in case a young person is travelling by themselves then, they can leave after the parents/carers have been notified.

2. Recording the closure on the home page of the Best Tutors website (actioned by Best Tutors administrator). <http://www.besttutors.co.uk>
4. Sending out text messages to all parents (actioned by Best Tutors administrator).

##### **Closure in advance of a day**

The Best Tutors can be closed in advance of a normal day using the following system:

1. Closure authorised by the Director
2. Recording the closure on the home page of the Best Tutors website (actioned by the administrator). <http://www.besttutors.co.uk>
4. Sending out text messages to all parents (actioned by administrator).
5. Inform the local authority

##### **In case of Immediate Closure**

In the event of a major incident on site requiring the Best Tutors to be closed, students will assemble at the assembly points. See site map, Off-Site Place of Safety If it becomes necessary to evacuate the site completely, students will be escorted into the green area next to the car park from where they can be collected.

##### **Lockdown Procedure**

It is now possible to envisage circumstances where the Best Tutors may wish to lock itself in, to secure staff and children from an outside threat. If a lockdown is declared:

- ① The Director will implement the lockdown procedure.
- ① The IMT will communicate via mobile phones.
- ① The Best Tutors will be advised that it is in 'lockdown' by word-of-mouth or by announcement via the intercom system which is located in each room and PA system located on each floor.
- ① All staff will remain in classrooms and are responsible to keep children calm and away from windows.
- ① All children in external areas will be advised to return to their classrooms. The lockdown will proceed in the following priority:
  - ① The external gates will be locked ensuring no one can enter or leave the premises.
  - ① Main building front and side entrance doors will then be locked.

##### **Monitoring the Site Entrances:**

Once the premises is secure, staff will return to the building and monitor the entrances via CCTV, and discretely (if safe) from the windows. The building should only be opened by the SMT when visual confirmation of the presence of the Emergency Services can be confirmed and the Best Tutors has been given the all clear.

##### **Business Recovery in the Event of a Loss of Buildings**

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Replacement of the buildings and facilities that have been damaged or made unavailable will be the responsibility of Best Tutors and they have the responsibility to provide temporary working facilities

#### **Insurance**

Best Tutors hold insurance to cover the cost of temporary accommodation and rebuilding.

#### **Replacement Site Facilities**

The size and scope of facilities required for the Best Tutors will vary according to circumstance.

**[EIC 30-34 Raynham Road Edmonton N18 2SJ]**

#### **Utilities Failure**

From time to time a utilities failure may occur that impacts upon the services offered. We would keep in contact with the family (where applicable), the utility agency (to ensure we could respond appropriately) and, where a large section of the community was affected, the relevant statutory agencies (e.g. police, social services) and the emergency civil planning department of the council where necessary.

#### **Adverse Weather/Winter Planning**

In situations such as these Families would be contacted, informed and an explanation given of why the changes had been implemented. A statutory notification must be sent to Ofsted if the adverse weather was likely to last more than 24 hours.

#### **Pandemic Management**

A pandemic is recognised as one of the highest risks faced by the Health and Social Care/childcare sector. Public Health England now has responsibility to protect the public's health from such an outbreak and to provide guidance to organisations where the impact of such a pandemic could be catastrophic. They regularly publish Preparedness Strategies; Response plans etc in the event of such a situation.

The five phases of detection, assessment, treatment, escalation and recovery are monitored, appropriate data collected, the route of the pandemic tracked and advice and guidance issued, as appropriate.

Staffing is the biggest issue for continuity of service to be ongoing and when necessary, statutory notifications should be completed in order to assist with the planning required for cover.

All Local Authorities have an Emergency Civil Plan (ECP) (**Municipal Enfield**) which is activated when certain criteria are met. A multi-agency approach is in place via the health authority and Public Health England and the organisation will follow all available advice and guidance in managing any pandemic or similar situation.

Staff will be advised as to their actions via the office.

#### **Force majeure Situations**

Where a force majeure was in place, e.g. major flooding, fuel shortages, road closures, winter conditions, we would take advice and co-operate in any way possible with the Civil Emergency Team and the statutory agencies involved.

This could include:

- ① Emergency centres being utilised
- ① Evacuation procedures
- ① Staff secondment to assist

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① Assisting other providers with visits

We have good local knowledge and our relationship with our multi-agency partners would enable us to deliver the service except where advice was given to the contrary. A statutory notification must be sent to Ofsted if any of the above situations were likely to last more than 24 hours.

#### **Training Statement**

Managers will be kept up to date with relevant local plans, as appropriate, at least annually, in order to respond in an effective and efficient manner.

### **CAPABILITY PROCEDURE**

#### **Introduction**

The primary aim of this procedure is to provide a framework within which the Company can work with employees to maintain satisfactory performance standards and to encourage improved performance where necessary. The Company recognises the difference between a deliberate or careless failure on the part of an employee to perform to the standards of which they are capable (in which case the Company will use the disciplinary procedure) and a case of incapability, where the employee is lacking in the ability to perform their duties and so cannot perform to the standard required (in which case the Company will use this capability procedure in an attempt to improve the employee's performance).

#### **Purpose and scope of Policy**

The Company recognises that during an employee's employment capability to carry out their duties may deteriorate. This can be for a number of reasons; the most common ones being that either the job changes over a period of time and the employee fails to keep pace with the changes or the employee changes and can no longer cope with the work.

Minor capability issues will be dealt with informally through counselling and training. Informal discussions may be held with a view to clarifying the required work standards and the level of performance expected of the employee, identifying areas of concern, establishing the likely causes of poor performance, identifying any training or supervision needs, setting targets for improvement and agreeing a time-scale for review. However, in cases where informal discussion with the employee does not lead to a satisfactory improvement in performance, or where the performance issues are more serious, the following capability procedure will be used. At all stages of the procedure, an investigation will be carried out.

At all stages the Company will give consideration to whether the unsatisfactory performance is related to a disability and, if so, whether there are any reasonable adjustments that could be made to the requirements of the employee's job or other aspects of the working arrangements.

The Company will notify the employee in writing of the concerns over performance and will invite the employee to a performance review meeting to discuss the matter. The Company will provide sufficient information about the poor performance and its possible consequences to enable the employee to prepare to answer the case. This will include the provision of copies of written evidence where appropriate.

Having given the employee reasonable time to prepare their case, a formal capability meeting will then take place, conducted by a manager, at which the employee will be given the chance to state their case, accompanied if requested by a trade union official or a fellow employee of their choice. The employee must make every effort to attend the meeting.

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In a case where dismissal is proposed, the purposes of the performance review meeting also include: to establish whether there are any further steps that could reasonably be taken to rectify the employee's poor performance, to establish whether there is any reasonable likelihood of the required standards of performance being met within a reasonable time and to discuss whether there is any practical alternative to dismissal, such as redeployment to any suitable available job at the same or lower grade.

Following the performance review meeting, the Company will decide whether or not formal performance action is justified and, if so, the employee will be informed in writing of the Company's decision in accordance with the stages set out below and notified of their right to appeal against that decision.

#### **Stage 1: Performance warning**

The employee will be given a formal PERFORMANCE WARNING. This will set out the areas in which the employee has not met the required performance standards, targets for improvement, and any measures, such as additional training or supervision, which will be taken with a view to improving the employee's performance, a timescale for review and the likely consequences of failing to improve to the required standards within the review period. The performance warning will be recorded but nullified after six months, subject to satisfactory performance.

The employee's performance will be monitored and, at the end of the review period, the Company will write to the employee to advise him or her of the next step. If the Company is satisfied with the employee's performance, no further action will be taken. If the Company is not satisfied with the employee's performance, the matter may be progressed to Stage 2 or, if the Company feels that there has been a substantial but insufficient improvement, the review period may be extended.

#### **Stage 2: Final performance warning**

Failure to improve performance in response to the procedure so far, or a first instance of serious poor performance, will result in a FINAL PERFORMANCE WARNING being issued. This will set out the areas in which the employee has still not met the required performance standards, targets for improvement, any further measures, such as additional training or supervision, which will be taken with a view to improving the employee's performance, a further timescale for review and the likely consequences of failing to improve to the required standards within the further review period, i.e. that dismissal will probably result. The final performance warning will be recorded but nullified after twelve months, subject to satisfactory performance.

The employee's performance will again be monitored and, at the end of the further review period, the Company will write to the employee to advise them of the next step. If the Company is satisfied with the employee's performance, no further action will be taken. If the Company is not satisfied with the employee's performance, the matter may be progressed to Stage 3 or, if the Company feels that there has been a substantial but insufficient improvement, the review period may be extended.

#### **Stage 3: Dismissal**

Failure to improve performance in response to the procedure so far will normally lead to DISMISSAL, with appropriate notice. The Company may first consider redeploying the employee with their agreement to another available job at the same or lower grade which is more suited to their abilities. A dismissal decision will only be made after the fullest possible investigation.

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Dismissal can be authorised only by a senior manager or a Director. The employee will be informed of the reasons for dismissal, the appropriate period of notice, and the date on which their employment will terminate and how the employee can appeal against the dismissal decision. Where the Company deems it necessary the Company reserves the right to skip any of the above stages.

### **Appeals**

An employee may appeal against any decision under this capability procedure, including dismissal, to a Director of the Company within five working days of the decision. Appeals should be made in writing and state the grounds for appeal. The employee will be invited to attend an appeal meeting chaired by a senior manager or a Director.

At the appeal meeting, the employee will again be given the chance to state their case and will have the right to be accompanied by a trade union official or a fellow employee of their choice.

Following the meeting, the employee will be informed in writing of the appeal decision, ordinarily within 14 working days. The Company's decision on an appeal will be final.

## **CASH HANDLING POLICY**

### **Policy statement**

This policy has been developed for all employees responsible for collecting and/or handling cash. Cash includes coins, bank notes, currency, cheques, postal orders, gift vouchers, gift cards, debit cards, credit cards and cash equivalents. These internal controls and cash handling procedures have been established to ensure proper security arrangements and accountability.

All employees working in cash handling will be given training in how to do so safely, they have responsibility for cashing up or they are an authorised employee with access to the safe.

Cash transactions should only be dealt with by employees who have been expressly authorised by the Company to undertake such responsibilities. Such authorised personnel are located in the accounts or cash handling offices. No authorisation is given to teachers/tutors or other staff to engage in cash, business or money transactions, unless given express authority by the Company to do so.

A breach of the rules set out in this policy is a disciplinary offence and will be dealt with in accordance with the Company's disciplinary procedure. Depending on the seriousness of the offence, it may amount to gross misconduct and could lead to summary dismissal.

## **CCTV POLICY**

### **Introduction**

The Company uses closed circuit television (CCTV) images to provide a safe and secure environment  
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for employees and for visitors to the Company's business premises, such as clients, customers, contractors and suppliers, and to protect the Company's property, students and employees. This policy sets out the use and management of the CCTV equipment and images in compliance with the **Data Protection Act 1998** and the Information Commissioner's Office CCTV Code of Practice. There has also been case law judgements, in particular relation to privacy issues, which has led to the new Code of Practice from the Information Commissioners' Office (ICO) issued in June 2015.

The Company's CCTV facility records images only. There is no audio recording and therefore conversations are not recorded on CCTV (but see the section on covert recording below).

### **Principles**

Careful consideration needs to be given as to the reasoning behind the introduction of any type of surveillance system.

The general public need to be aware of any covert usage.

Staff, where possible, should be included in discussions about the use of such systems.

Individuals must be fully involved in decisions regarding the usage of such equipment. Where they lack capacity, as defined by the M.C.A. 2005, a best interest decision will be taken, following the guidance in the Act.

### **Code of Practice**

The first Code was introduced in 2000 and since then the use of CCTV has moved to a much more sophisticated system of digital and increasingly portable technology. Privacy has become an issue in the use of such systems and the Code aims to keep users of such systems on the right side of the law. The Code provides good practice advice for those involved in operating CCTV and other surveillance camera devices that view or record individuals e.g. vehicle registration using ANPR (automatic number plate recognition).

The Protection of Freedoms Act (POFA) has introduced a new Commissioner, the Surveillance Camera Commissioner to promote the Code. It is designed to help those who use surveillance cameras to collect personal data to stay within the law.

The terms 'surveillance system(s)', 'CCTV' and 'information' are used throughout the Code for ease of reference. Information held by organisations that is about individuals is covered by the Data Protection Act and the guidance in the Code will assist organisations to comply with these obligations.

This Code of Practice is consistent with the POFA Code and there is a Memorandum of Understanding between the Information Commissioner and Surveillance Camera Commissioner. The Code covers the use of surveillance systems which are used to monitor or record the activities of individuals, or both. As such, they process individuals' information – their personal data. Most uses of surveillance systems will therefore be covered by the DPA and the provisions of the Code, whether the system is used by a multi-national company to monitor entry of staff or visitors, or a local newsagent recording information to help prevent crime.

The Code also covers the use of camera related surveillance equipment including:

Automatic Number Plate Recognition (ANPR)

- Body worn video (BWV)
- Unmanned aerial systems (UAS) and
- Other systems that capture information of identifiable individuals or information relating to individuals.

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The Code provides guidance on information governance, such as data retention and disposal.

It is important that the Data Controller of the organisation (Best Tutors) is fully conversant with the Code of Practice and the principles set out below.

#### **Purposes of CCTV**

The purposes of the Company installing and using CCTV systems include to:

- assist in the prevention or detection of crime or equivalent malpractice
- assist in the identification and prosecution of offenders
- monitor the security of the Company's business premises
- ensure that health and safety rules and Company procedures are being complied with
- assist with the identification of unauthorised actions or unsafe working practices that might result in disciplinary proceedings being instituted against employees and to help in providing relevant evidence
- promote productivity and efficiency.

#### **Location of cameras**

Cameras are located at strategic points throughout the Company's business premises, principally at the entrance and exit points. The Company has positioned the cameras so that they only cover communal or public areas on the Company's business premises and they have been sited so that they provide clear images. No camera focuses, or will focus, on toilets/toilet areas. All cameras (with the exception of any that may be temporarily set up for covert recording) are also clearly visible.

Appropriate signs are prominently and clearly displayed so that employees, clients, customers and other visitors are aware they are entering an area covered by CCTV.

#### **Recording and retention of images**

Images produced by the CCTV equipment are as clear as possible so that they are effective for the purposes for which they are intended. Maintenance checks of the equipment are undertaken on a regular basis to ensure it is working properly and that the media is producing high quality images. Images may be recorded either in constant real-time (24 hours a day throughout the year), or only at certain times, as the needs of the business dictate.

The recording system records digital images only (no verbal communication is recorded), all CCTV images that are held on the server for 2 weeks and then are overwritten by new recordings.

In case any incident, theft, and accident the images are saved on a hard drive for any further investigations. Once the investigation has been completed the hard drive/ removable media such as CDs are erased or destroyed once the purpose of the recording is no longer relevant. In normal circumstances, this will be a period of one month. However, where a law enforcement agency is investigating a crime, images may need to be retained for a longer period.

#### **Access to and disclosure of images**

Access to, and disclosure of, images recorded on CCTV is restricted. This ensures that the rights of individuals are retained. Images can only be disclosed in accordance with the purposes for which they were originally collected.

The images that are filmed are recorded centrally and held in a secure location. Access to recorded

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images is restricted to the operators of the CCTV system and to the head of the Company who are authorised to view them in accordance with the purposes of the system. Viewing of recorded images will take place in a restricted area to which other employees will not have access when viewing is occurring.

Disclosure of images to other third parties will only be made in accordance with the purposes for which the system is used and will be limited to:

- The police and other law enforcement agencies, where the images recorded could assist in the prevention or detection of a crime or the identification and prosecution of an offender or the identification of a victim or witness
- Prosecution agencies, such as the Crown Prosecution Service
- Relevant legal representatives
- Supervisors involved with Company disciplinary processes
- Individuals whose images have been recorded and retained (unless disclosure would prejudice the prevention or detection of crime or the apprehension or prosecution of offenders).

The Director (or another senior director acting in their absence) is the only person who is permitted to authorise disclosure of information to external third parties such as law enforcement agencies. All requests for disclosure and access to images will be documented, including the date of the disclosure, to whom the images have been provided and the reasons why they are required. If disclosure is denied, the reason will be recorded.

#### **Individuals' access rights**

Under the **Data Protection Act 1998**, individuals have the right on request to receive a copy of the personal data that the Company holds about them, including CCTV images if they are recognisable from the image.

#### **Covert recording**

The Company will only undertake covert recording with the written authorisation of the Director/Head teacher (or another senior director/head acting in their absence) where there is good cause to suspect that criminal activity or equivalent malpractice is taking, or is about to take, place and informing the individuals concerned that the recording is taking place would seriously prejudice its prevention or detection. Covert monitoring may include both video and audio recording. Covert monitoring will only take place for a limited and reasonable amount of time consistent with the objective of assisting in the prevention and detection of particular suspected criminal activity or equivalent malpractice. Once the specific investigation has been completed, covert monitoring will cease.

Information obtained through covert monitoring will only be used for the prevention or detection of criminal activity or equivalent malpractice. All other information collected in the course of covert monitoring will be deleted or destroyed unless it reveals information which the Company cannot reasonably be expected to ignore.

#### **Staff training**

The Company will ensure that all employees handling CCTV images or recordings are trained in the operation and administration of the CCTV system and on the impact of the **Data Protection Act 1998** with regard to that system.



### **Implementation**

The Director of Best Tutors is responsible for the implementation of and compliance with this policy and the operation of the CCTV system and he will conduct an annual review of the Company's use of CCTV. Any complaints or enquiries about the operation of the Company's CCTV system should be addressed to him.

## **CHILD PROTECTION /SAFE GUARDING POLICY**

### **Purpose of Policy**

Best Tutors aims to provide an environment in which children and young people will feel safe, secure and cared for, the purpose of this policy is to provide the staff and parents of Best Tutors with guidelines and support on the subject of child abuse and how they can act to assist in the protection of children and young people in the setting. The policy aims to ensure that all members of staff are informed about child abuse, the forms that it can take, signs and symptoms of possible abuse and the steps that they can take in recognising and preventing children from risk, harm and abuse.

Safeguarding and promoting the welfare of children, in relation to this policy is defined as:

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

(Definition taken from the HM Government document 'Working together to safeguard children 2013')

### **The legal framework for this policy is based on:**

- ① Children Act (1989 s47)
- ① Protection of Children Act (1999)
- ① Data Protection Act (1998)
- ① The Children Act (Every Child Matters) (2004)
- ① Safeguarding Vulnerable Groups Act (2006)
- ① Sexual Offences Act (2003)
- ① Criminal Justice and Court Services Act (2000)
- ① Equalities Act (2010)
- ① Data Protection Act (1998) Non Statutory Guidance
- ① Working Together to Safeguard Children (2006/2015)
- ① Safeguarding Children and Safer Recruitment in Education (2006)
- ① Children Act 2004 ('Every Child Matters')

### **Our Aim**

To work with children, parents, external agencies and the community to ensure the welfare and safety of children and to give them the very best start in life. Children have the right to be treated with respect and to be safe from any abuse in whatever form.

### **To this end we will:**

- Create an environment to encourage children to develop a positive self-image

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- Encourage children to develop a sense of independence and autonomy in a way that is appropriate to their age and stage of development
- Provide a safe and secure environment for all children
- Always listen to children.

**Achieving this objective requires systems designed to:**

- promote safe practice and challenge poor and unsafe practice
- ① Identify instances in which there are grounds for concern about a child’s welfare, and initiate or take appropriate action to keep them safe; and contribute to effective partnership working between all those involved with providing services for children and young people
- ① Applicants for posts within the setting are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
- ① Candidates are informed of the need to carry out 'enhanced disclosure' checks with the Disclosure & Barring Service (DBS) before posts can be confirmed.
- ① Where applications are rejected because of obtaining information that has been disclosed, applicants have the right to know and to challenge incorrect information.
- ① We inform all staff that they are expected to disclose any convictions, cautions, court orders or reprimands and warnings which may affect their suitability to work with children (whether received before or during their employment with the company).
- ① Ensure staff are trained to understand safeguarding policies and procedures and parents are made aware of these as well
- ① All staff have an up-to-date knowledge of safeguarding issues. (annual refresher course)
- ① We abide by Ofsted requirements in respect of references and Disclosure & Barring Service checks for staff and volunteers, to ensure that no unsuitable people working with children and young people
- ① Volunteers and Students on work placement do not work unsupervised.
- ① We abide by the Safeguarding Vulnerable Groups Act (2006) requirements in respect of any person who is dismissed from employment, or resigns in circumstances that would otherwise have led to dismissal for reasons of a child protection concern.
- ① Follow procedures for recording the details of all visitors to the setting.
- ① Take robust security steps to ensure that no unauthorised person has unsupervised access to the children
- ① Ensure children are not photographed or filmed on video for any other purpose than to record their development or their participation in events organised by us and we have signed consent form from the parents.

**What is Child Abuse?**

Child abuse is any action by another person – adult or child – that causes significant harm to a child. It can be physical, sexual or emotional, but can just as often be about a lack of love, care and attention. We acknowledge that abuse of children can take different forms - physical, emotional, sexual, as well as neglect and that neglect, whatever form it takes, can be just as damaging to a child as physical abuse.

We are aware of other factors that affect children’s vulnerability such as, Female Genital Mutilation, sexual exploitation of children, child abuse linked to beliefs in spirit possession, abuse of disabled children, induced or fabricated illness; such as through internet abuse, and that may affect, or may have affected, children and young people using our organisation. We also take into account other factors affecting parental capacity, such as parent’s alcohol or drug abuse, domestic violence, physical or mental learning disability or illness of parent’s, social exclusion.

Some children and young people are affected or may be affected by gang activity, through forced marriage or honour based violence, radicalisation or terrorist activities, multiple or organised abuse, or may be victims of child trafficking. We need to be aware of any of these factors affecting children and young people and where we believe that a child in our care or that is known to us may be affected by any of these factors we will follow the procedures below for reporting child protection concerns.

### **Types and signs of abuse**

#### **Emotional:**

Actual or likely severe adverse effect on the emotional and behavioural development of a child caused by persistent or severe emotional ill-treatment or rejection. All abuse involves some emotional ill-treatment, but this term is used when it is the main form of abuse. May include sarcasm, degrading comments or punishment, threats of withdrawal of love and affection

#### **Signs of emotional abuse**

The following may be indicators of abuse:

- Disruptive, withdrawn or abusive behaviour
- telling lies
- Difficulty with bonding
- Nervousness, attention seeking or running away
- Sudden or significant changes in patterns of behaviour or in looks
- Very low self esteem
- Statements made, particularly in certain contexts
- Strange values or morals
- Recurrent physical symptoms for which there is no clear explanation.

#### **Neglect:**

The persistent or severe neglect of a child, or the failure to protect a child from exposure to any kind of danger, including cold and starvation, or extreme failure to carry out important aspects of care, resulting in the significant impairment of the child's health or development, including non – organic failure to thrive. Include denial of food, medical attention, warmth and shelter and may in some cases include being thrown out of home

#### **Sign of Neglect**

The following may be indicators of neglect:

- being hungry, malnourishment, being small in stature
- being inappropriately dressed
- being left alone at home
- Parent/guardian(s) never being present
- being dirty, smelly or unkempt
- being tired or hyperactive
- truanting from classes
- A lack of possessions
- Lack of interest in their birthday or special occasions
- Recurring or lingering illnesses which are not attended to.

#### **Physical:**

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Actual and likely physical injury to a child, or failure to prevent physical injury (or suffering) to a child including deliberate poisoning, suffocation and Munchausen's syndrome by proxy. Common physical abuse includes punching, kicking, hitting and may even lead to death or serious injury

#### **Signs of Physical Abuse**

The following may be indicators of physical abuse:

- Presence of burns, cuts and bruises, particularly if persistent, on odd places, on the head, lied about or poorly explained
- Fear of being touched or touching others, particularly of being picked up
- Unusual, withdrawn, disruptive or abusive behaviour
- Being scared of going home
- Hearing information about possible abuse from other people.

#### **Sexual:**

Actual or likely sexual exploitation of a child or Adolescent. The child may be dependent and/or developmentally immature. Covers any sexual act in which an adult pressurises or forces a young person to take part and can include kissing, touching of sexual organs or breasts or forcing to touch adult sexual organs; it also includes looking at pornographic materials.

#### **Signs of Sexual Abuse**

The following may be indicators of sexual abuse:

- Re-enactment of abusive behaviour
- Self-mutilation
- Withdrawal or aggression
- Pregnancy
- paying particular attention to adults
- Early sexual relationships
- Sore genitals
- Fear of being touched
- Actively seeking touch.

#### **Bullying:**

Bullying is defined as any form of abuse on a child which is inflicted upon them by their peers, this abuse can be subtle, including, teasing, being ignored or left out, being pushed or pulled about, or having money or possessions taken.

#### **Signs of Bullying**

- belongings getting "lost" or damaged
- physical injuries such as unexplained bruises
- being afraid to go to school, being mysteriously 'ill' each morning, or skipping school
- not doing as well at school
- asking for, or stealing, money (to give to a bully)
- being nervous, losing confidence, or becoming distressed and withdrawn
- problems with eating or sleeping
- Bullying others.

#### **Cyber bullying**

- Cyber bullying includes sending or posting harmful or upsetting text, images or other messages, using the internet, mobile phones or other communication technology.

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- It can take many forms, but can go even further than face to face bullying by invading home and personal space and can target one or more people.
- It can take place across age groups and target Children/young people, staff and others.
- It can include threats and intimidation, harassment, defamation, exclusion or peer rejection, impersonation and unauthorised publication of private information or images.
- It can include messages intended as jokes, but which have a harmful or upsetting effect.

**Cyber bullying may be carried out in many ways, including:**

- Threatening, intimidating or upsetting text messages;
- Threatening or embarrassing pictures and video clips via mobile phone cameras;
- Silent or abusive phone calls or using the victim’s phone to harass others, to make them think the victim is responsible;
- Threatening or bullying emails, possibly sent using a pseudonym or someone else’s name;
- Menacing or upsetting responses to someone in a chat-room;
- Unpleasant messages sent during instant messaging;
- Unpleasant or defamatory information posted to blogs, personal websites and social networking sites (e.g. Facebook)

**Responding to cyber bullying**

A cyber bullying incident might include features different to other forms of bullying, prompting a particular response. Key differences might be:

- Impact: possibly extensive scale and scope
- Location: the anytime and anywhere nature of cyber bullying
- Anonymity: the person being bullied might not know who the perpetrator is
- Motivation: the perpetrator might not realise that his/her actions are bullying
- Evidence: the subject of the bullying will have evidence of what happened

**Investigation**

Again, the nature of any investigation will depend on the circumstances. It may include, for example,

- Review of evidence and advice to preserve it, for example by saving or printing (e.g. phone messages, texts, emails, website pages)
- Efforts to identify the perpetrator, which may include looking at the media, systems and sites used. Witnesses may have useful information.
- Contact with the Internet Watch Foundation, the police or the local Safeguarding Children Board Officer if images might be illegal or raise child protection issues
- Requesting a child/young person to reveal a message or other phone content or confiscating a phone.

① Staff do not have the authority to search the contents of a phone.

**Other Indicators of Abuse**

① Injuries to the child that are not consistent with the normal play activities of a child, either in position or type.

① Inconsistent or unreasonable explanation of an injury by a child, parent or carer

① Inconsistent or inappropriate behaviour such as sexually explicit remarks or actions, mood swings, uncharacteristically quiet/aggressive, severe tantrums.

① Becoming isolated socially

① Overeating, loss of appetite, weight loss, weight gain.

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- ① Inappropriately dressed or ill-kept and/or dirty
- ① Self-inflicting injury
- ① Open distrust of, or discomfort with, parent or carer
- ① Delayed social development, poor language and speech
- ① Excessively nervous behaviour, such as rocking or hair twisting
- ① Low self esteem

#### **General indicators of abuse**

- ① Recurring Abdominal Pain
- ① Reluctance to go home
- ① Flinching when approached or touched
- ① Recurring headaches

#### **Recognition of Child Abuse**

It is not in the remit of members of staff at Best Tutors to identify the specific category of abuse that a child may be experiencing but rather to highlight any causes for concern to the appropriate person and organisations.

The following list although not exhaustive may be indicative of some of the signs and symptoms of child abuse, it should be noted that some children may display some of these signs in times of stress; it does not necessarily mean that they are being abused.

All the following may be indicators of abuse, but may also be signs of things other than abuse. If a staff suspects that an injury may not have been an accident or is worried about a sudden change in a young person's personality, it should be discussed with colleagues and a line manager in the first instance.

#### **The Designated Senior Lead (DSL)**

Mr Saad Khan

#### **(Deputy)**

Mr Nadeem Iqbal

Ms Zainab Hussain

The Designated Senior Persons (DSL) for Safeguarding are the managers of Best Tutors. The DSLs' role is to:-

- ① ensure that the local Area safeguarding Committee's Safeguarding Procedures are followed
- ① ensure that all staff are aware of these procedures
- ① ensure that appropriate training and support is provided to all staff
- ① develop effective working relationships with other agencies and services
- ① decide whether to take further action about specific concerns (e.g. refer to Children Schools and Families Referral and Assessment Team)
- ① liaise with Social Work Teams over suspected cases of child abuse
- ① ensure that accurate records relating to individual children are kept in a secure place and marked 'Strictly Confidential'
- ① submit reports to, and attend, Safeguarding Conferences
- ① ensure that Best Tutors effectively monitors children who have been identified as 'at risk'
- ① Provide guidance to parents, children and staff about obtaining suitable support.

- ① Keep up to date with all relevant procedures and legislations

#### **Recording and Reporting of an Incident – Suspicions of Abuse**

If a child discloses to you that they have been abused, the member of staff should:

Making a referral to the local authority children's social care team

① The 'Child Protection Record' contains procedures for making a referral to the local children's social care team, as well as a template form for recording concerns and making a referral. This is based on 'What to do if you're worried a child is being abused'

① We keep a copy of this document alongside the procedures for recording and reporting set down by our Local Safeguarding Children Board

① We notify the registration authority (Ofsted) of any incident or accident and any changes in our arrangements which may affect the well-being of children or where an allegation of abuse is made against a member of staff (whether the allegations relate to harm or abuse committed on our premises or elsewhere). Notifications to Ofsted are made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made.

① Contact details for the local National Society for the Prevention of Cruelty to Children (NSPCC).

#### **Staff should make an objective record (supported by the Designated Safeguarding Lead (DSL) of any observation or disclosure and include:**

① Child's name

① Child's address

① Age of the child and date of birth

① Date and time of the observation or the disclosure

① Exact words spoken by the child

① Record statements and observations rather than interpretations or assumptions on the incident report form.

① Complete the diagram with an outline of a body shape, to indicate the position of any bruising or other injury

① Exact observation of an incident including any other witnesses

① Name of the person to whom the concern was reported, with date and time; and the names of any other person present at the time

① the DSL is required to undertake an annual Safeguarding Checklist

① Dealing with a disclosure from a child, and a Safeguarding case in general, is likely to be a stressful experience. The member of staff should, therefore, consider seeking support for him/herself and discuss this with the DSL.

① Any discussion held with the parent(s) (where deemed appropriate)

These records should be signed by the person reporting this and the manager/DSL/Deputy manager, dated and kept in a separate confidential file.

#### **When dealing with the alleged case of abuse/direct discloser staff should:**

① Stay Calm

① Listen to the child and note down what they say to you in their own words. It is important at this stage that you do not interrupt the child and you do not ask questions or push for more information

- ① Inform the child that in order to help them you have to tell your supervisor (make NO PROMISES, NO SECRETS), Responding to a Child who confides in you
- ① Offer reassurance and support
- ① Immediately tell your supervisor
- ① Record the facts and discussion in the child's own words and give a copy to your manager
- ① Do not take control of the situation yourself
- ① Maintain confidentiality
- ① Keep records
- ① Report the disclosure to the supervisor or person responsible for child protection in the setting.
- ① The member of staff should tell the child who this person is and reassure the child that they can trust them and that they have done the right thing in telling you what has been going on. Explain that they are unable to keep this information confidential, but that only appropriate people will be told.
- ① Explain what action the worker will take next and arrange to tell them what happens. Other staffs need to be told there has been a disclosure but not the details of it. The need for confidentiality must be stressed to all staff. Other young people should not be told.
- ① Talk to the designated safe guarding Lead
- ① The DSL will then contact the relevant agency or the police who will investigate the disclosure.

### **Child Protection Code of Conduct**

All Members of Staff Should:

Play your part in helping to develop an ethos where all people matter and are treated with equality, and respect and dignity.

- ① Always put the care, welfare and safety needs of a child first.
- ① Respect a child's right to be involved in making choices and decisions which directly affect them.
- ① Listen attentively to any ideas and views a child wants to share with you.
- ① Respect a child's culture (for example, their faith and beliefs)
- ① Respect a child's right to privacy and personal space.
- ① Respond sensitively to children who seem anxious about participating in certain activities
- ① Speak to a member of staff immediately if you suspect that a child is experiencing bullying or harassment.
- ① Be aware of the vulnerability of some groups of children to being isolated and hurt.
- ① Ensure that when you are working with children you are at least within sight or hearing of other adults.
- ① Listen carefully when a child 'tells you' (sometimes through drawings and behaviour as well as words) that they are being harmed and report what you have discovered immediately to your line manager.
- ① Report immediately any suspicion that a child may be at risk of harm or abuse.
- ① Never dismiss what a child tells you as lies or exaggeration
- ① Only restrain a child who is at imminent harm of inflicting harm to themselves or others.
- ① Never underestimate the contribution that you can make to the development of safe communities for children.

### **Members of Staff Should Not:**

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- ① Exaggerate or trivialise another workers concerns about a child or ignore an allegation or suspicion of abuse in the hope that it will either go away or that someone else will deal with it.
- ① Discuss personal issues about a child or their family with other people except where it concerns the wellbeing of the child.
- ① Be drawn into derogatory remarks or gestures in front of the children or young people.
- ① Allow a child or young person to be bullied or harmed by anyone else in the organisation
- ① Allow children to swear or use sexualised language unchallenged.

It may be thought necessary that through discussion with all concerned the matter needs to be raised with the LSCB (Local Safeguarding Children Board) and Ofsted. Staff involved may be asked to supply details of any information/concerns they have with regard to a child.

Best Tutors expects all members of staff to co-operate with the LSCB and Ofsted in any way necessary to ensure the safety of the children. Staff must not make any comments either publicly or in private about a parent's or staff's supposed or actual behaviour.

Remember, whether or not you personally believe what is said, the benefit of the doubt must always be in favour of making the report. You do not personally have to believe the concern to be true to make a referral. This assessment is for children's services and/or the police to make.

#### **Allegations against staff**

- ① Inform parents on how to complain about the behaviour or actions of staff or volunteers within the setting, or anyone living or working on the premises occupied by the setting, which may include an allegation of abuse.
- ① We ensure staff behave appropriately and are not made vulnerable to allegations i.e. code of conduct, behaviour management, whistle blowing and complaints procedure.
- ① We follow the guidance of the Local Safeguarding Children Board when responding to any complaint that a member of staff or volunteer within the setting, or anyone living or working on the premises occupied by the setting, has abused a child.
- ① We respond to any disclosure by children or staff that abuse by a member of staff or volunteer within the setting, or anyone living or working on the premises occupied by the setting, may have taken, or is taking place, by first recording the details of any such alleged incident.

We refer any such complaint immediately to the Local Authority Designated Officer (LADO) to investigate: Maria Anastasi Tel 020 8379 2746/2850

[Head of Safeguarding Young People] [02088074170/21] [safeguarding@besttutors.co.uk](mailto:safeguarding@besttutors.co.uk)(direct to head of health & safety)

- ① We will inform Ofsted of any allegation of serious harm against or abuse of, a child by any person, including volunteers, looking after children on the premises (whether that allegation relates to harm or abuse committed on the premises or elsewhere,) or by the registered person or any person working or employed on the premises, and the action taken in respect of these allegations, as soon as reasonably practicable, but at the latest, within 14 days. Failure to do so without reasonable excuse is a criminal offence.

- ① Where the management team and children's social care agree it is appropriate in the circumstances, the Safeguarding Services Manager will suspend the member of staff on full pay, or the volunteer, for the duration of the investigation. This is not an indication of admission that the

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alleged incident has taken place, but is to protect the staff, as well as children and families throughout the process

All allegations against a member of staff will be handled by the Designated safeguarding lead and in a case where the allegation is made about the DSL the director will handle the allegation.

The situation will be dealt with confidentially and information only shared on a need to know basis. Support for children, parents and staff will be carried out sensitively.

Information and all communications, and actions taken and the reasons for them will be documented and kept in a separate file in the locked cabinet

### **Whistleblowing**

Whistleblowing relates to all staff and volunteers who work within the setting, who may from time to time think that they need to raise with someone in confidence certain issues relating to Best Tutors. Whistleblowing is separate from the grievance procedures. If you have a complaint about your own personal circumstances you need to follow the grievance procedures highlighted in the 'staff hand book'. If you are concerned about malpractice the following procedures need to be followed:

Report any concerns to [Mr Nadeem Iqbal deputy head of Best Tutors]

All staff are aware of preventing and eliminating wrongdoing within Best Tutors and are watchful for illegal, inappropriate or unethical conduct and report anything of that nature to the managers. Staff understand that any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation will be reported back to you.

No one will be victimised for raising the matter under this procedure and continued employment and opportunities for future promotion or training will not be prejudiced because of a legitimate concern.

Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence. If misconduct is discovered as a result of any investigation under this procedure Jack in the Box disciplinary procedure will be used, in addition to any appropriate external measures. If a malicious, vexatious or false allegation is made then this will be considered to be a disciplinary offence and disciplinary action will be taken.

Any instruction to cover up wrongdoing is itself a disciplinary offence. If you are told not to raise or pursue any concerns, even by a person in authority such as a manager, you should not agree to remain silent. In this event you should report the matter to either [Mr Nadeem Iqbal Deputy head of Best Tutors]

### **Ofsted Whistle Blowing**

Whistle blowing helpline: 0300 123 3155

Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)

### **Ofsted Helpline**

General enquires: 0300 123 1231 (8am-6pm)

Concerns: 0300 123 4666 (8am-6pm)

Piccadilly Gate, Store Street, Manchester, M1 2WD

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### **Training**

DSL (designated safeguarding lead).

The DSL is designated to take responsibility for safeguarding children at Best Tutors. The DSL is responsible for liaison with LSCB. They provide support, advice and guidance to other colleagues on an on-going basis, and on any specific safeguarding issue as required. The training must be renewed every 2 years. To enable them to identify, understand and respond appropriately to signs of possible abuse and neglect.

CST (Child safeguarding team) is responsible for safeguarding children at Best Tutors, which work under the supervision of designated safeguarding lead.

Member of CST (child safeguarding team) at Best Tutors are:

- 1.Mr. Saad khan
- 2.Mr. Nadeem Iqbal
- 3.Ms. Rizwana Kausar
- 4.Ms. Tanzeela Mehtab
- 5.Mr. Rizwan Bhatti
- 6.Mr. Faisal Mehmood
- 7.Ms. Zainab Hussein
- 8.Mr. Abdi
- 9.Mr. Ahmed Ali Atif
- 10.Mr. Naeem Ahmed
- 11.Ms. Khadija
- 12.Ms. Maryan Hershi

The deputy DSL must be trained and take the lead in the absence of DSL. The third-in-charge must be trained and take the lead in of both.

All staff are trained to understand this safeguarding policy and the procedures, to ensure that all staff have up to date knowledge of safeguarding issues. All staff are given a mandatory induction, which includes familiarisation with child protection responsibilities and procedures to be followed if anyone has concerns about a child's safety or welfare. This must be renewed annually.

### **Employment and recruitment**

We have effective systems in place to ensure that staff, and any other person who is likely to have regular contact with children are suitable

In order to maintain the levels of protection, all persons working with children must have an Enhanced Disclosure (DBS) and have completed an application process, interview and have 2 references.

***(Refer to Safer Recruitment Policy)***

### **Informing parents**

Parents are normally the first point of contact. If a suspicion of abuse is recorded, parents are informed at the same time as the report is made. Where the parent or family member is the likely abuser, or where a child may be endangered by this disclosure, they must not be informed and a referral will be made immediately to the local authority children's social care. In these cases, the investigating officers will inform parents.

### **Support for families**

We will take every step in its power to build up trusting and supportive relations among families, colleagues and volunteers within Best Tutors

- Best Tutors continues to welcome the child and the family whilst enquiries are being made in relation to abuse in the home situation.

We will treat parents and families with respect in a non-judgmental manner whilst any external investigations are carried out in the best interests of the child

- Confidential child protection records kept on a child should be stored securely and separately from the child's day-to-day records. These records should only be shared under the direction of the local authority. We will do all in our power to support and work with the child's family

### **Designated Safe Guarding Co-ordinator**

Name: Mr Saad Khan

Telephone: [02088074170/21]

### **Deputy Designated Safe Guarding Co-ordinator**

Name: Mr Nadeem Iqbal and Ms Zainab Hussain

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Telephone: [02088074170]

In case of emergency the following contact details for agencies that can support you are listed below:

If children/young people are identified as being vulnerable to radicalisation, further advice and support can be found in The Prevent Duty. Serious concerns should be referred to the below Services:

Anti - Terrorism Hotline (Metropolitan Police Service) Tel: 0800 789 321  
([www.met.police.uk/terrorism](http://www.met.police.uk/terrorism))

**Local Police Station**

41 Baker St, Enfield, Middlesex, EN1 3EU

Main phone number: 101

In emergency call: 999

**Enfield Safe Guarding children's Board**

Charles Babbage House

1 Orton Grove, Enfield, EN1 4TU

**Children's Social Care Referral and Assessment Team**

Tel: 0208 379 2507

**The Emergency Duty Team (Out of hours from 5pm - 9am)**

Tel: 0208 379 1000 (Select option 2)

**LADO**

Maria Anastasi

020 8379 2746/2850

**Child Abuse Investigation Team (CAIT)**

020 8733 5139

**Female Genital Mutilation**

If you are concerned that a child or young person may be in danger or risk of FGM

Tel: 0800 028 3550 or email [fgmhelp@nspcc.org.uk](mailto:fgmhelp@nspcc.org.uk)

Enfield SPOE (Single Point of Entry) Enfield's single early intervention and prevention response for Professionals who consider a child, young person or family need a service.

Tel: 0208 379 5555

OR complete an Early Help Form (EHF) and submit to:

CAF Administrator: Tel: 0208 379 2088/2085 (Mon-Fri 9am-5pm)

Email: [caf.administrator@enfield.gov.uk](mailto:caf.administrator@enfield.gov.uk)

ChildLine (national free phone helpline)	0800 1111
NSPCC (free phone 24 hour helpline)	0800 800 500
PARENTLINE (helpline)	0808 800 2222

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These phone numbers should be made widely available to staff, volunteers and users of the project, including by signs clearly displayed in offices where young people can see them.

### **Acronyms**

LADO- Local Authority Designated Officer

DSCO- Designated Safeguarding Co-ordinator

LSCB- Local Safeguarding Children Board

DBS- Disclosure and Barring Services

### **Further guidance**

- ① Working together to safeguard children (HMG 2006 - under revision 2012)
- ① What to do if you're worried a child is being abused (HMG 2006)
- ① Framework for the assessment of children in need and their families (DOH 2000)
- ① The common assessment framework for children and young people: a guide for practitioners (CWDC 2010)
- ① Statutory guidance on making arrangements to safeguard and promote the welfare of children under Section 11 of the children act 2004 (HMG 2007)
- ① Information sharing: guidance for practitioners and managers (HMG 2008) (HMG 2006)
- ① Disclosure and barring service: <https://www.gov.uk/government/organisations/disclosure-and-barringservice>

## **COMPUTER USE POLICY**

### **Computer usage**

Some employees have access to computers at work for use in connection with the Company's business. Computers are provided to employees to undertake business-related activities only. Employees who are discovered unreasonably using the Company's computers for personal and private purposes will be dealt with under the Company's disciplinary procedure. Vandalism of, or otherwise intentionally interfering with, the Company's computers/network constitutes a gross misconduct offence and could render the employee liable to summary dismissal.

### **Security**

As many computer files contain some form of confidential or otherwise sensitive business information, the Company takes the security of these files very seriously. With this in mind, we have introduced some basic security precautions that all employees must abide by. These are as follows:

- if you need to leave your computer for more than a couple of minutes, lock the computer screen
- if you need to leave your computer for a long period of time, log off - never leave an unattended computer logged on
- Computer passwords are considered our confidential information even if you are using your personal password for social networking to login to our work systems. When creating a computer password, do not use one that is obvious, such as your date of birth or the name of a close family member - passwords should preferably be a mix of letters and numbers and should not be the same as any other personal passwords you may have (such as Internet banking passwords)
- Always keep your password private, do not write it down and do not divulge it to anyone else.
- if you suspect that someone knows your password, change it in the normal way
- change your password at regular intervals in any event, this should be done changed time to

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time

- always shut down your computer when you go home at the end of the day
- if you notice any suspicious activity, for example an employee trying to gain unauthorised access to another member of staff's computer, notify your supervisor immediately
- if you are provided with a Company computer for use in your home, family members are not allowed to use it.

### **Data**

The computers and the data they contain are provided to undertake business-related activities and to enable you to carry out your job duties. As such, data should not be amended, deleted, copied or taken away unless this is both specifically related to the work you are undertaking and you have the authority to make such amendment, deletion or copy. In particular, you should not delete or amend any documentation or programs which are stored on the Company's communal drives unless you have the requisite level of authority to do so.

Non-work related data should not be copied onto or stored on Company computers.

### **Use of portable storage devices**

Some employees may be provided with portable storage devices, such as memory sticks and portable hard drives, which can be plugged into the USB port of a computer. Whilst they are provided so as to allow for the copying and transferring of files and images between an employee's desktop or laptop computer, their small size and storage capacity makes them vulnerable to misuse. For this reason, any employee issued with these devices must not transfer any data to a third party computer (including one at home) without first having obtained approval from their Head of the department. From time to time, user guidelines will be produced on the usage of such devices and employees will be expected to follow them. Any employee who transfers files to a third party without permission is likely to be subject to disciplinary action. In the event that this involves the deliberate transfer of sensitive commercial information to a competitor, it will be treated as gross misconduct.

### **Software**

The Company licences the use of computer software from a variety of outside companies. The Company nor any of its employees have the right to reproduce it. To do so constitutes an infringement of copyright. Contravention is a disciplinary matter and will be dealt with in accordance with the Company's disciplinary procedure.

Software that you need to use to carry out your job duties will be provided and installed on your computer for you. Installation of any non-approved software is prohibited. This includes screen savers and wallpapers. Only the IT department has the authority to load new software onto the network system. Even then, software may be loaded only after having been checked for viruses.

### **Viruses**

The Company's computer network makes it vulnerable to viruses. All Company computers have virus protection software installed. Re-configuring or disabling this software is prohibited. If your computer starts to behave strangely or you suspect it may have become infected with a virus, turn it off immediately and contact the IT department.

### **Games**

You must not play or install any games onto your computer.

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### **Temporary workers**

From time to time, the Company may need to use temporary staff in order to cover busy periods or annual leave. Should any temporary worker need to use a computer as part of their job role, the Head of the department responsible for their day-to-day supervision will be required to bring this policy and its contents to their attention?

It is also Company policy that any temporary workers who are required to use a computer for more than 7 days will be given their own log-in details. Managers will need to identify if there are any directories or computer files on the computer that will be used by the temporary worker that are of a sensitive or confidential nature. If so, the IT department will need to be involved in restricting access to them. The same principles apply to any self-employed contractors engaged by the Company.

### **Department duties**

Departmental heads will be required to notify the IT department in advance of any computer users that will be leaving the Company. This should be done at least 3 days before the employee leaves, so that the individual's account can be closed down on their departure.

Likewise, managers should notify the IT department in advance of any new computer users that will be starting work for the Company. This should be done at least 3 days before the employee starts, so that the individual's account can be set up ready for their start date.

From time to time, the Company will review its storage of confidential information and the media upon which it is stored. Supervisors will be expected to co-operate in terms of identifying such files, the employees or other staff with access to them and the file locations.

### **Contravention of this policy**

Failure to comply with any of the requirements of this policy is a disciplinary offence and may result in disciplinary action being taken under the Company's disciplinary procedure.

## **CONFIDENTIALITY POLICY**

The policy outlined below adheres fully to the principles within the Data Protection Act 1998, the Freedom of Information Act 2000 and the Confidential Memorandum in place for local authority information purposes. All data held, stored or handled by this organisation complies with the current legislation and guidance.

This document outlines the policy of this organisation in relation to the handling of confidential information we need to hold about children.

### **Definitions:**

Confidential – means private, personal, intended to be kept secret

Private – belonging to or for the use of one particular person or group of people

It is important to make the above distinctions in order to fully understand our obligations in respect of confidentiality.

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## General

① The work of this organisation inevitably involves the need to know a good deal about children, their families, and our staff. We cannot provide good services without access to this information.

① Much of this information is highly personal and sensitive. We recognise that children, families and our staff have a right to privacy and dignity, and that this extends to our handling information about them in ways which cause as little as possible intrusion on those rights.

① We want our children to feel at ease with the staff who help to care for them. An important element in that relationship is the capacity of a children and their families to be able to share information with staff, confident that it will be used with appropriate respect and only in relation to the care provided.

① We sometimes have to share information with colleagues in other agencies, but we only do so on the basis of their need to know and as far as possible only with the permission of the person concerned.

① We will only break the rule of confidentiality in very extreme circumstances which justify our taking that action for the greater good of a children or, exceptionally, others.

## Our Legal Obligations

### Data Protection Act 1998

The Data Protection Act 1998 lays various legal obligations on this organisation and similar organisations concerning the handling of the information we hold on individuals. Information must, for example, be obtained fairly and lawfully; be held for specified purposes; be adequate, relevant and not excessive for the purpose for which it was gathered; be accurate and up to date; and not be held for longer than is necessary.

### Personal records and Handling of Information

The staff have access to the relevant information about the children and their families when they start to work and to knowledge which accumulates in the course of providing care. They have a duty of confidentiality:

① These include registration and admission forms, signed consents, and correspondence concerning the child or family, reports or minutes from meetings concerning the child from other agencies and observations by staff on any confidential matter involving the child, such as developmental concerns or child protection matters

① Parents have access to the files and records of their own children provided that no relevant exemptions apply to their disclosure under the Data Protection Act (DPA) 1998. To treat all personal information with respect and in the best interests of the children to whom it relates

① To share with their manager, when appropriate, information given to them in confidence

① To share confidential information, when appropriate, with colleagues with whom they are sharing the task of the services

① Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs.

① To pass and receive confidential information to and from colleagues on occasions when they have to be replaced because of sickness, holidays or other reasons, in a responsible and respectful manner

① To pass confidential information to other agencies only with the agreement of the children families, with the permission of their manager, or in emergencies (when it is clear that it is in the interests of the children or is urgently required for the protection of the children or another person)

① To refer to confidential information in training or group supervision sessions with respect and caution and preferably in ways which conceal the identity of the children to which it relates

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- ① To never gossip about a children or to pass information to any other individual other than for professional reasons.
- ① These confidential records are stored in a lockable file or cabinet and are kept secure by the person in charge in the office.
- ① Staff induction includes an awareness of the importance of confidentiality in the role of the teacher, supervisor and head of department.
- ① Staff must be aware of their responsibilities under the Data Protection Act 1998 and where relevant the Freedom of Information Act 2000.

#### **Other records**

- ① Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.
- ① Students, volunteers or any other recognised education professional, when they are observing in the setting, are advised of our confidentiality policy and required to respect it.

#### **Access to personal records**

Parents may request access to any records held on their child and family following the procedure below.

- ① Any request to see the child's personal file by a parent or person with parental responsibility must be made in writing to the director
- ① The management will send a written acknowledgement.
- ① The setting commits to providing access within 14 days - although this may be extended.
- ① The setting's management prepare the file for viewing.
- ① All third parties are written to, stating that a request for disclosure has been received and asking for their permission to disclose to the person requesting it. A copy of these letters are retained on the file.
- ① 'Third parties' include all family members who may be referred to in the records. It also includes workers from any other agency, It is usual for agencies to refuse consent to disclose, preferring the individual to go directly to them.
- ① When all the consents/refusals to disclose have been received these are attached to the copy of the request letter.
- ① A photocopy of the complete file is taken.
- ① The management will go through the file and remove any information which a third party has refused consent to disclose. (Using a thick black marker) giving a 'clean copy'.
- ① The 'clean copy' should be photocopied for the parents who should be then invited in to discuss the contents.
- ① Legal advice may be sought before sharing a file, especially where the parent has possible grounds for litigation against the setting or another (third party) agency. All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. Please see also our policy on Safeguarding Children and Child Protection.

#### **Exceptional Breaches of Confidentiality**

There are rare occasions in which it is necessary for a staff member acting in good faith to breach confidentiality in an emergency situation — for example, to protect the children or another person from grave danger — without obtaining the permission of the person to whom it applies. In such circumstances, the staff member should use their best judgement, should consult the children's representative—safe guarding officer—and should inform their manager of what has happened as soon afterwards as possible.

### **Training Statement**

#### **Staff Briefing, Training and Discipline**

It is a responsibility of management to ensure that all relevant staff are briefed on this organisation policy and procedures on confidentiality, are trained in the implications of this issue, and have opportunities to explore any problems they encounter and be supported through appropriate supervision. Inappropriate breach of the rules of confidentiality will be treated as a disciplinary matter.

## **CONTROL OF SUBSTANCES HAZARDOUS TO HEALTH (COSHH)**

### **Policy Statement**

This policy is one of several related to Health and Safety and subject to the Health and Safety Executive Guidance and Codes of Practice.

### **The Policy**

Staff need to be aware of and understand their role in this organisation, adherence to the Safety at Work Act 1974 and all other subsequent legislation, including those covered by the European Commission Directives. This policy specifically relates to the requirements of the Control of Substances Hazardous to Health Regulations (COSHH) 2002 and to the REACH regulations, where appropriate.

### **There is an eight step guide to follow to ensure that COSHH requirements are being followed:**

1. Assess the risks; what risks can any hazardous substances have to your health or the Children when used.
2. Decide what precautions are needed, whether the staff need to wear protective clothing and that they meet the requirements
3. Prevent or adequately control exposure; prevent all staff and children being exposed to any hazardous substances, make sure staff read labels and understand what the substances are used for
4. Ensure that control measures are used and maintained, make sure staff are aware of how much to use of cleaning substances or how much needs diluting
5. Monitor the exposure, make sure the chemicals and cleaning equipment is being used properly
6. Carry out appropriate health surveillance, carry out assessments and check all specific requirements and keep updated relevant information that may change within law
7. Prepare plans and procedures to deal with accidents, incidents and emergencies, each policy and procedure is written for staff to read and they are all available for the Parents/Guardians to read as well

### **Hazardous Substances**

There are many hazardous substances which are considered hazardous to health. The COSHH Regulations apply to substances which are identified as Toxic, Corrosive or Irritant. These can include cleaning materials, pesticides, acids, disinfectants, bleach and naturally-occurring substances such as blood and bacteria.

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This organisation provides and requires all staff to wear protective clothing, i.e. disposable gloves and aprons and, where required, protective eye goggles when working with hazardous substances as directed by the HSE Safety Data leaflet.

### **Signage**

All toxins, corrosives and irritants are identified when they are considered “dangerous to supply” by a label with a specific symbol.

International symbols have replaced the old European symbols, and staff need to be aware of changes.

This organisation displays these signs

Laboratory chemicals are stored in science laboratory on 3rd floor in locked cabinets and signs are displayed on the cabinets

All other toxics, corrosives and irritants are stored in locked cupboards

Any product deemed to be “dangerous to supply” must be supplied with a Safety Data sheet.

Please note: medicines, cosmetics and pesticides are covered by different legislation and do not have a Safety Data sheet.

### **Employers’ Responsibilities**

To comply with the Health and Safety Executive’s (HSE) steps for all employers to protect their employees from Hazardous Substances, this organisation:

- ① Identifies the hazardous substances that are used in the work place and the risks the substances pose to workers’ health
- ① Puts into place, and regularly reviews, any precautions required before any work begins that involves hazardous substances
- ① Prevents people being exposed to hazardous substances, but where this is not reasonably practicable will control the exposure
- ① Ensures that control measures are used and properly maintained and that safety procedure is followed and reviewed regularly
- ① Monitors, if necessary, staff exposure to hazardous substances
- ① Requires all accidents, incidents and emergencies associated with COSHH to be reported and recorded according to organisational policy
- ① Ensures that all employees are properly informed, updated, trained and supervised as appropriate. A COSHH file is in place in each workplace. The file lists all the hazardous substances used in the workplace. It details:
  - Where they are kept
  - How they are labelled
  - Their effects
  - The maximum amount of time it is safe to be exposed to them
  - How to deal with any emergency involving them.

### **Misuse or Harmful Practice**

If workers are concerned about:

- ① A substance being used in the workplace which is not in the COSHH file
- ① Incorrect containers or labels being used
- ① A container of one substance being used to store another substance
- ① Labels being removed or changed.

It must be reported to their line manager or supervisor immediately.

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### **Disposal of Hazardous Materials**

#### **Bodily fluids: blood, urine, vomit, sputum and faeces**

Disposable gloves and aprons must be worn.

Where possible the waste should be cleared and flushed down a sluice or toilet.

The affected area should be cleaned with a disinfectant.

Cloths used for cleaning must be disposed of, along with the disposable apron and gloves.

Hands must be thoroughly washed.

Any waste must be transferred in a sealed bag to the appropriate waste bin or container.

All waste disposal bags must be correctly sealed, as other people will have to deal with the waste after it has been placed in the bags or container.

#### **Needles, syringes, (sharps)**

Disposable gloves must be worn.

A yellow sharps box will be provided by a health professional. Never put sharps in anything other than this or, in an emergency, a hard plastic box. This must be sealed and collected by the local council for incineration.

Disposal of all other types of waste will be included in staff training.

#### **Training Statement**

All staff must be appropriately trained and regularly updated as required by legislation. All staff will be issued with clear instructions and guidance on how to deal with spillages and reporting and recording of such accidents, incidents or emergency situations,

## **COMPLAINTS POLICY & PROCEDURE**

### **Purpose of the Policy**

The purpose of this policy is to ensure that any complaints about the service are handled quickly, effectively and courteously and solutions are implemented which satisfy children/young people, the parent/carer and the setting.

### **Who is Responsible?**

It is the responsibility of the supervisor to ensure that all complaints are handled. However, senior staff have been trained in the procedure for handling the initial complaint, but management will investigate and deal with the complaint efficiently and effectively.

### **Complaints Procedure**

In the event of a parent / carer wanting to complain about a member of staff or services offered or incident at Best Tutors please follow the following guidelines:

- The organisation accepts that all verbal complaints, no matter how seemingly unimportant, must be taken seriously.
- ① Speak to a member of staff or directly to management about the complaint giving as much information as possible.
- ① Staff are expected to remain polite, courteous, sympathetic and professional to the complainant. They are taught that there is nothing to be gained by adopting a defensive or aggressive attitude.

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At all times in responding to the complaint, staff are encouraged to remain calm and respectful.

① Anyone making a complaint should be handled effectively and be seen as an opportunity to evaluate the practice of the setting and improve quality.

① Complaint should be dealt with swiftly and in accordance with the complaints policy for the setting.

① Staff should not, make excuses or blame other staff.

① If it is discussed with a member of staff then they will report the complaint to the supervisor and complete a complaints form immediately. The supervisor will acknowledge receipt of the complaint within 24 hours. The complaint will then be investigated and an action plan drawn up to address the issue. The action plan will be discussed with the complainant and agreed. This process will be recorded on the complaint form; all complaints will be resolved within 5 working days of the complaint being made.

① If the staff cannot solve the problem immediately, they should offer to get their supervisor to deal with the problem.

① Once made aware of the complaint the supervisor must record the complaint on the complaint form.

① If the parent / carer feel that they are unable to speak to a member of staff, then they can also send their complaint in writing to the supervisor who will acknowledge the complaint within 24 hours and respond to it within 5 working days of receipt of the letter.

Person making the complaint should complete a complaint form and give this to the supervisor. Complaint forms are available in the complaints file at the reception; completed forms will be kept in Supervisors office.

① The supervisor will acknowledge receipt of the complaint form within 24 hours, log the complaint in the complaint log and investigate the matter; at this stage it may be appropriate to contact the parent / carer to gather further information, all correspondence will be recorded with the complaint form.

① All complaints are discussed with all relevant staff, the issue is discussed and corrective action agreed, a date by which the action should be taken is also agreed. This is recorded on the complaint form and then discussed with the parent / carer, this information is also issued in writing.

#### **Investigation of the complaint by the organisation:**

- Immediately on receipt of the complaint, the complaints manager will start an investigation and within 14 days should be in a position to provide a full explanation to the complainant, either in writing or by arranging a meeting with the individuals concerned.
- If the action has not been taken by the date agreed the supervisor should address the issue and identify why the action has not been taken, this should be recorded in writing and issued to the parent / carer.
- If the issues are too complex for the investigation to be completed within 28 days, the complainant will be informed of any delays.
- Where the complaint cannot be resolved between the parties, an arbitration service will be used. This service and its findings will be final to both parties. The cost of this will be borne by the organisation.

#### **Meeting:**

- If a meeting is arranged, the complainant will be advised that they may, if so desired, bring a friend, relative or a representative such as an advocate
- At the meeting a detailed explanation of the results of the investigation will be given, in addition to an apology if deemed appropriate (an apology is not necessarily an admission of liability)

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- Such a meeting gives the management the opportunity to show the complainant that the matter has been taken seriously and investigated thoroughly.

**Follow-up action:**

- After the meeting, or if the complainant does not want a meeting, a written account of the investigation will be sent to the complainant. This includes details of how to approach the Ofsted if the complainant is not satisfied with the outcome. <https://contact.ofsted.gov.uk/onlinecomplaints>
- The outcomes of the investigation and the meeting are recorded in the complaints form, and any shortcomings in company procedures will be identified and acted upon.
- The company management formally reviews all complaints at least every six months as part of its quality monitoring and improvement procedures to identify the lessons learned.

**Vexatious Complainers**

This organisation takes seriously any comments or complaints regarding its service. However, there are individuals who can be treated as “vexatious complainers” due to the inability of the organisation to meet the outcomes of the complaints, which are never resolved. Vexatious complainers need to be dealt with by the arbitration service, so that the repeated investigations become less of a burden on the organisation, its staff and other children.

## **COMPLIMENTS (LISTENING AND LEARNING)**

**Policy Statement**

We want to make it as easy as possible for you to let us know your views and thoughts. Through listening and learning we will improve the quality of the services we provide and encourage good practice by our staff.

**The Policy**

We want to make sure that everyone can contact and communicate with us. Please let us know if you would like help in making your views known.

**Please Let us know if:**

- ① You have a suggestion on how we might improve services
- ① You would like to compliment us on a job well done
- ① We have fallen short of your expectations

**Comments**

We always encourage open communication about your satisfaction or dissatisfaction with the service we provide. We want you to know that you can always tell us about your experiences of the service you receive and we welcome suggestions from you on how we can improve things. It is always encouraging when you feel motivated enough to compliment us or a member of staff for something you feel they have done well, “over and above the call of duty” etc. Naturally, we want to ensure others know you have passed on a compliment because they too feel encouraged and this filters down to the standard of care we provide.

We are happy to receive any compliment in whatever manner you see fit. If it is possible that you can let the Manager know of your compliment this helps us ensure that others may be encouraged to let us know. It is important that staff have positive feedback which helps to balance any negative views of their performance. Everyone needs to know how well they do, as well as areas where improvements are required.

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**Director: Dr Nazir**  
**Contact Address: 1-19 Wakefield St, Edmonton, N18 2BZ**  
**Tel: 020 8807 4170**

Wherever possible we would hope that you can come and tell us when you are unhappy about something, or have a suggestion for an improvement to the service we provide, it may only seem like a “small thing” but if it matters to you then it matters to us, and we would like to do all we can to make you feel as comfortable as possible.

All comments are taken seriously so that we can resolve any niggles. Where you feel this has not happened, we encourage you to utilise our separate complaints procedure.

## **DATA PROTECTION POLICY**

### **Introduction**

In the course of your work you may come into contact with or use confidential information about employees, clients and customers, for example their names and home addresses. The **Data Protection Act 1998** (the Act) contains principles affecting employees’ and other personal records. Information protected by the Act includes not only personal data held on computer but also certain manual records containing personal data, for example employee personnel files that form part of a structured filing system. The purpose of these rules is to ensure that you do not breach the Act. If you are in any doubt about what you can or cannot disclose and to whom, do not disclose the personal information until you have sought further advice from **Mr Shahbaz**, the Company’s Data Protection Officer.

You should be aware that, under the Act, you are personally accountable for your actions and can be held criminally liable if you knowingly, or recklessly, breach it. Any serious breach of data protection legislation will also be regarded as misconduct and will be dealt with under the Company’s disciplinary procedures. If you access another employee’s personnel records without authority, this constitutes a gross misconduct offence and could lead to your summary dismissal.

Best Tutors is registered under the Data Protection Act 1998 and all storage and processing of personal data held in manual records and on computers in the organisation will comply with the Act. The organisation understands that, according to the Data Protection Act 1998, they should follow the data protection principles

There are eight data protection principles that are central to the Act. The Company and all its employees must comply with these principles at all times in its information-handling practices. In brief, the principles say that personal data must be:

1. Processed fairly and lawfully and must not be processed unless certain conditions are met in relation to personal data and additional conditions are met in relation to sensitive personal data. The conditions are either that the employee has given consent to the processing, or the processing is necessary for the various purposes set out in the Act. Sensitive personal data may only be processed with the explicit consent of the employee and consists of information relating to:

- race or ethnic origin

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- political opinions and trade union membership
- religious or other beliefs
- physical or mental health or condition
- sexual life
- Criminal offences, both committed and alleged.

2. Obtained only for one or more specified and lawful purposes, and not processed in a manner incompatible with those purposes.

3. Adequate, relevant and not excessive. The Company will review personnel files on an annual basis to ensure they do not contain a backlog of out-of-date information and to check there is a sound business reason requiring information to continue to be held.

4. Accurate and kept up-to-date. If your personal information changes, for example you change address, you must inform your supervisor as soon as practicable so that the Company's records can be updated. The Company cannot be held responsible for any errors unless you have notified the Company of the relevant change.

5. Not kept for longer than is necessary. The Company will keep personnel files for no longer than six years after termination of employment. Different categories of data will be retained for different time periods, depending on legal, operational and financial requirements. Any data which the Company decides it does not need to hold for a period of time will be destroyed after one year. Data relating to unsuccessful job applicants will only be retained for a period of one year.

6. Processed in accordance with the rights of employees under the Act.

7. Protected, appropriate technical and organisational measures will be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data. Personnel files are confidential and are stored in locked filing cabinets. Only authorised employees have access to these files. Files will not be removed from their normal place of storage without good reason. Data held on computer will be stored confidentially by means of password protection, encryption or coding, and again only authorised employees have access to that data. The Company has network backup procedures to ensure that data on computer cannot be accidentally lost or destroyed.

8. Not transferred to a country or territory outside the European Economic Area unless that country ensures an adequate level of protection for the processing of personal data.

9. Your consent to personal information being held

The Company holds personal data about you. By signing your contract of employment, you have consented to that data being processed by the Company for any purpose related to your continuing employment or its termination including, but not limited to, payroll, human resources and business continuity planning purposes. Agreement to the Company processing your personal data is a condition of your employment. This includes giving your consent to the Company using your name, photograph and a brief work experience history in its marketing or promotional material, whether in hard copy print format or online on the Company's website. It also includes supplying the Company with any personal data that it may request from you from time to time as necessary for the performance of your contract of employment or the conduct of the Company's business, for example, supplying up-to-date contact telephone numbers to be held by departmental

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head/supervisor as part of its business continuity plan.

The Company also holds limited sensitive personal data about its employees and, by signing your contract of employment, you give your explicit consent to the Company holding and processing that data, for example sickness absence records, health needs and equal opportunities monitoring data.

#### **Your right to access personal information**

You have the right, on request, to receive a copy of the personal information that the Company holds about you, including your personnel file, and to demand that any inaccurate data be corrected or removed.

If you wish to make a complaint that these rules are not being followed in respect of personal data the Company holds about you, you should raise the matter with the Data Protection Officer. If the matter is not resolved to your satisfaction, it should be raised as a formal grievance under the Company's grievance procedure.

#### **Your obligations in relation to personal information**

You must comply with the following guidelines at all times:

- Do not disclose confidential personal information to anyone except the data subject. In particular, it should not be:
  - given to someone from the same family
  - passed to any other unauthorised third party
  - placed on the Company's website
  - posted on the Internet in any form

Unless the data subject has given their explicit prior written consent to this

- Be aware that those seeking information sometimes use deception in order to gain access to it. Always verify the identity of the data subject and the legitimacy of the request, particularly before releasing personal information by telephone
- only transmit personal information between locations by fax or e-mail if a secure network is in place, for example, a confidential fax machine or encryption is used for e-mail
- if you receive a request for personal information about another employee, you should forward this to Data Protection Officer, who is responsible for dealing with such requests
- ensure any personal data you hold is kept securely, either in a locked filing cabinet or, if computerised, it is password protected
- Remember that compliance with the Act is your personal responsibility. If you have any questions or concerns about the interpretation of these rules, please contact the Data Protection Officer immediately.

In addition, the following documents must be used in order that this organisation is compliant with all aspects of the Data Protection Act 1998 in regard to the type of data held.

A Quick Guide to Employment Practices Code issued by The Information Commissioners Office (ICO) (26 pages). [www.ico.org.uk](http://www.ico.org.uk)

## **DIGNITY AT WORK POLICY**

#### **Policy statement**

The Company seeks to provide a work environment in which all employees are treated with respect and dignity and that is free from harassment and bullying based upon age, disability, gender reassignment, race (including colour, nationality and ethnic or national origins), religion or belief,

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sex or sexual orientation (including civil partnerships). In this policy, these are known as the “protected characteristics”.

Employees have a duty to co-operate with the Company to make sure that this policy is effective in preventing harassment or bullying. Action will be taken under the Company’s disciplinary procedure against any employee who is found to have committed an act of improper or unlawful harassment, bullying or intimidation. Serious breaches of this dignity at work policy statement will be treated as potential gross misconduct and could render the employee liable to summary dismissal. Employees should bear in mind that they can be held personally liable for any act of unlawful harassment. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

All employees are responsible for conducting themselves in accordance with this policy. The Company will not condone or tolerate any form of harassment, bullying or intimidation, whether engaged in by employees or by outside third parties who do business with the Company, such as clients, customers, contractors and suppliers.

You should draw the attention of your supervisor to suspected cases of harassment, bullying or intimidation. You must not victimise or retaliate against an employee who has made allegations or complaints of harassment or who has provided information about such harassment. Such behaviour will be treated as potential gross misconduct in accordance with the Company’s disciplinary procedure. You should support colleagues who suffer such treatment and are making a complaint.

The Company will also take appropriate action against any third parties who are found to have committed an act of improper or unlawful harassment, bullying or intimidation against its employees.

This policy covers harassment, bullying and intimidation both in the workplace and in any work-related setting outside the workplace, for example during business trips, at external training events or at work-related social events.

## **DISCLOSURE AND BARRING SERVICE (DBS)**

### **Policy Statement**

This policy outlines the organisation’s approach to the use of Disclosure and Barring Service (DBS) checks, and the storage and use of information on convictions disclosed by the DBS. The policy applies to all staff groups and should be given to applicants at the outset of the recruitment process where an Enhanced DBS disclosure of their criminal record will be required as part of the application process for working in a Regulated Activity.

### **The Policy**

Disclosure and Barring Service (DBS) Check DBS is an amalgam of the old Criminal Record Bureau (CRB) and the Independent Safeguarding Authority. Their duties are set out in The Freedoms of Protection Act 2012. The changes are being incrementally introduced until 2017. Changes in place so far are:

- The Protection of Vulnerable Adults List is now held by the Disclosure and Barring Service and a referral system is in place. Guidance and the referral form are available on the DBS website

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- The Barring List is now held by the DBS, called the DBS Barred List.
- An Update Service launched by DBS enables prospective employees to pay a subscription fee of £13 per annum which allows them to update their current DBS.
- Employers will be able to validate the DBS which has been made available to them via the interview process by checking electronically on the DBS website
- From May 27th 2015 the DBS online tracking used to check the progress of applications can now be used to order blank application forms
- From 8 June 2015, the paper counterpart to the photo card driving licence will not be valid and will no longer be issued by DVLA. Paper driving licences issued before the photo card was introduced in 1998 will remain valid and should not be destroyed
- For the DBS ID checking process this means that just the driving licence photo card needs to be checked, unless an old style paper driving licence is produced (pre-1998) and the photo card driving licence issued by the DVLA without the paper counterpart will be classed as a group 1 identity document for DBS check applicants

To keep up with these changes it is vital that the DBS website is checked frequently, i.e. a minimum of monthly by Mr Shahbaz DBS dept. None of the staff in Best Tutors is left alone with children until the satisfactory DBS certificate is returned from the DBS department. Staff is only allowed to stay in the supervised environment while the DBS application is in process.

#### **Appointments Requiring a DBS Disclosure**

An applicant will be requested to submit to a DBS disclosure request where they meet the new definition of Regulated Activities, which came into force on 10th September 2012 following the amending of the Vulnerable Groups Act 2006. Before considering asking a person to apply for a criminal record check through DBS, the organisation is legally responsible for ensuring that they are entitled to submit an application for the job role. A countersigning officer must satisfy themselves that the position is eligible under the current legal provisions before countersigning each application form. The DBS are continually updating their eligibility for DBS checks. All subjects of a DBS disclosure request will be made aware of the DBS Code of Practice. Any information revealed in a disclosure that is likely to lead to the withdrawal of a job offer will be discussed with the applicant before the offer is withdrawn.

Where a conviction has been disclosed in an individual's application for a post with the organisation, a discussion will take place at the end of the interview regarding the offence and its relevance to the position.

Failure to reveal information relating to unspent convictions could lead to the withdrawal of an offer of employment.

- **DBS Process**

This organisation will implement a full DBS-only disclosure for all staff. Currently as an organisation we refund the cost of the DBS. From the aforementioned date, all current staff will have a DBS disclosure and then become responsible for the yearly subscription to the update service.[we never recruit any one without DBS at all so every is already DBS checked]

In order for this organisation to be as efficient and cost effective as possible, the portability of the DBS needs to be implemented as soon as is practicable. The old CRB system is now abolished and the next stage in the process means that the employer will no longer receive a copy of the DBS disclosure. It is therefore imperative, in order to protect and safeguard residents, that the use of the update service is implemented.

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Please note none of the above relates to a CRB disclosure, only to a disclosure which states it has been issued by the Disclosure and Barring Service.

#### **Risk-based decision making in relation to disclosures**

Where a prospective employee has a DBS returned detailing criminal offences which have not been disclosed a risk assessment will be undertaken in respect to their recruitment. This must be based on the information to hand and a balanced view should be maintained throughout the process. It is this organisation's responsibility to ensure the safeguarding of children and young people and the decision to employ will be taken in the context of risk to the resident, staff and the business. The decision will be recorded and held on file.

The Rehabilitation of Offenders Act 1974 provides that ex-offenders are not required to disclose to prospective employers convictions defined as 'spent' under the Act. However because our employees work in a Regulated Activity the updated list applies as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.

#### **DBS Disclosures and Data Protection**

In this organisation:

- DBS disclosure information will not be stored on an employee's personnel file but will be stored separately in lockable storage with access limited to those who are entitled to see it as part of their duties.
- A record will be maintained of all those to whom disclosure information has been revealed, as it is a criminal offence to pass on this information to anyone who is not entitled to receive it.
- The DBS reference number will be the means used to investigate any queries regarding the disclosure.
- A register of these numbers will be kept in order to check and review the information where required.
- DBS disclosure information will only be used for the specific purpose for which it was requested and for which the applicant's full consent will have been obtained.
- Any information disclosed during the DBS process will be dealt with sensitively and appropriately
- We follow the guidance issued by CQC "Disclosure and Barring Service (DBS) checks (formerly criminal record (CRB) and barring checks)" issued 2013
- There is further guidance available from CQC with regard to work placements which we follow as required.

There are currently several cases of case law before the European Court of Human Rights regarding age-related disclosures primarily those committed whilst a minor. These cases will be reviewed and taken into account during the next phase of the Freedoms of Protection Act 2012 and our policy revised accordingly.

### **DRESS AND APPEARANCE POLICY**

Staff are seen as a role model and, as such, should always give careful consideration to how they dress and act. The Company requires employees to dress in a manner that is suitable and appropriate to the

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Company's business both within the workplace and when representing the Company. This policy is not exhaustive in defining acceptable and unacceptable standards of dress and appearance and employee must therefore use common sense in adhering to the principles underlying the policy.

### **Dress and appearance**

All employees are required to be neat, clean, well-groomed and presentable whilst at work, whether working on the Company's premises or elsewhere on Company business.

You must adhere to the following minimum dress and appearance standards:

- ① you should dress in a smart/casual manner appropriate for a tuition/Best Tutors environment
- ① hair should be kept neat and well-groomed
- ① jewellery should be kept to a minimum
- ① Tattoos should be kept covered and should not be visible.

The following are still classed as unacceptable attire for all employees & students:

- ① jeans, leggings, combat trousers or torn trousers
- ① shorts or miniskirts
- ① Tight clothing, sports clothing, for example tracksuits and football shirts are not allowed for staff & students
- ① t-shirts
- ① low cut or transparent tops
- ① tops with slogans or symbols that could cause offence
- ① trainers (unless specified in your job description or authorized by your supervisor)
- ① dirty clothing, or clothing in a poor state of repair
- ① Excessive or unconventional jewellery and excessive makeup and sharp high heels shoes

The Company reserves the right to enforce a uniform policy if it deems necessary.

## **Disciplinary procedure**

### **Introduction**

Whilst the Company does not intend to impose unreasonable rules of conduct on its employees, certain standards of behaviour are necessary to maintain good employment relations and discipline in the interest of all employees. The Company prefers that discipline be voluntary and self-imposed and, in the vast majority of cases, this is how it works. However, from time to time, it may be necessary for the Company to take action towards individuals whose level of behaviour or performance is unacceptable. It will also occur where an employee knowingly breaks any legal requirement in connection with their employment.

This disciplinary procedure is entirely non-contractual and does not form part of an employee's contract of employment.

### **Scope and procedure**

Minor non-compliance will be dealt with informally through counselling and training. However, in cases where informal discussion with the employee does not lead to an improvement in conduct or performance or where the matter is considered to be too serious to be classed as minor, for example, unauthorised absences, persistent poor timekeeping, sub-standard work performance, etc. the following disciplinary procedure will be used. At all stages of the procedure, an investigation will be carried out.

### **Investigatory meeting**

If the company has reason to believe an employee has committed an act of serious misconduct, that employee may be invited to attend an investigatory meeting. This meeting will be conducted by an investigation officer or team, who will be appointed to conduct the investigation into the alleged misconduct. Where possible and subject to the administrative resources available to the Company at the time, the officer/members who make up the investigation team will not sit on the disciplinary committee. The investigatory meeting will be convened as soon as reasonably practicable and at a time which is convenient for both the Company and the employee.

The investigatory meeting is a fact-finding exercise and does not form part of the Company's formal disciplinary procedure. Its purpose is to ascertain exactly what went on in order to determine whether there is a disciplinary case to answer.

The employee should make every effort to attend the meeting as it is in his/her interests to do so. If the employee repeatedly fails or refuses to attend, the investigation will be conducted in the employee's absence on the basis of the information available to the investigation officer/team. The employee will not have a right to be accompanied at an investigatory meeting. Accurate notes will be taken of the meeting and a copy of the notes will be given to the employee as soon as is reasonably practicable.

If the investigation team concludes that there is no case to answer, the matter will be dropped and no further action will be taken. If it concludes there is a case to answer, the Company will notify the employee in writing of the allegations against him or her and will invite the employee to a disciplinary hearing to discuss the matter. The Company will provide sufficient information about the alleged misconduct or poor performance and its possible consequences to enable the employee to answer the case. This will include the provision of copies of written evidence, including witness statements, where appropriate.

### **Disciplinary hearing**

Having given the employee reasonable time (14 working days) to prepare their case, a formal disciplinary hearing will then take place, conducted by a Committee formed by the Director which will consist of two senior staff members, at which the employee will be given the chance to state his or her case, accompanied if requested by a fellow employee of his or her choice or a representative of a trade union. The employee must make every effort to attend the hearing. At the hearing, the employee will be allowed to set out their case and answer any allegations and will also be given a reasonable opportunity to ask questions and present evidence.

Following the hearing, the Company will decide whether or not disciplinary action is justified and, if so, the employee will be informed in writing of the Company's decision in accordance with the stages set out below and notified of his or her right to appeal against that decision. It should be noted that an employee's behaviour is not looked at in isolation but each incident of misconduct is regarded cumulatively with any previous occurrences. Please note that except with the express written permission of the Company, disciplinary investigations and hearings must not be recorded on any electronic device. If the Company discovers that you have done this covertly, you could be subject to further disciplinary action.

Please note that the Company will deal with all disciplinary matters within a reasonable timescale. However, it reserves the right to extend these wherever necessary and if appropriate.

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**Stage 1: Written warning**

The employee will be given a formal WRITTEN WARNING. He or she will be advised of the reason for the warning, how he or she needs to improve their conduct or performance, the timescale over which the improvement is to be achieved, that the warning is the first stage of the formal disciplinary procedure and the likely consequences if the terms of the warning are not complied with. The written warning will be recorded but nullified after six months, subject to satisfactory conduct and performance.

**Stage 2: Final written warning**

Failure to improve performance in response to the procedure so far, a repeat of misconduct for which a warning has previously been issued, or a first instance of serious misconduct or serious poor performance, will result in a FINAL WRITTEN WARNING being issued. This will set out the nature of the misconduct or poor performance, how he or she needs to improve their conduct or performance, the timescale over which the improvement is to be achieved and warn that dismissal will probably result if the terms of the warning are not complied with. This final written warning will be recorded but nullified after twelve months, subject to satisfactory conduct and performance.

**Stage 3: Dismissal**

Failure to meet the requirements set out in the final written warning will normally lead to DISMISSAL with appropriate notice. A decision of this kind will only be made after the fullest possible investigation. Dismissal can be authorised only by a Director. The employee will be informed of the reasons for dismissal, the appropriate period of notice, and the date on which his or her employment will terminate and how the employee can appeal against the dismissal decision.

**Alternatives to dismissal**

In some cases the Company may at its discretion consider alternatives to dismissal. These may be authorised by management and will usually be accompanied by a final written warning.

Examples include:

- Change of responsibilities (working under supervision)
- A period of suspension without pay
- Loss of seniority
- Pay reduction
- Loss of future pay increment or bonus

**Misconduct**

Misconduct is defined as “unacceptable or improper behaviour”. The following list provides some examples of offences which are normally regarded as misconduct:

- Unauthorised absence from work without reasonable cause
- Failure to comply with the procedures for the notification of sickness absence
- Unsatisfactory attendance at work, e.g. unauthorised absenteeism, lateness, leaving work without permission, overstaying lunch or breaks
- Poor performance including inaccurate and unsatisfactory standard of work
- Unacceptable appearance, dress and personal hygiene
- Unauthorised private activities during working hours without permission
- Unauthorised private use of the Company’s property or equipment
- Unacceptable standards of interpersonal behaviour to other employees, students, parents, or members of the public

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- Minor breaches of Health and Safety regulations
- Some other substantial reason, or “good cause”

This list is not exhaustive.

#### **Gross misconduct**

Offences under this heading are so serious that an employee who commits them will normally be summarily dismissed. In such cases, the Company reserves the right to dismiss without notice of termination or payment in lieu of notice. Examples of gross misconduct include:

- any breach of the criminal law, such as theft
- any unauthorised possession or removal of Company products or property, or property belonging to another employee, client, student, customer or visitor, fraud (including making fraudulent or false expense claims), deliberate falsification of records, false declarations in connection with employment or applications for employment or any other form of dishonesty
- offering, promising or giving a bribe or requesting, agreeing to receive or accepting a bribe or bribing a foreign public official in connection with employment contrary to the Bribery Act 2010
- wilfully or negligently causing harm or injury to another employee, client, customer or visitor, physical violence, assault, fighting, bullying or grossly offensive or aggressive behaviour or language
- inappropriate or unwanted behaviour to staff, students, parents or visitors
- deliberately or negligently causing damage to the Company’s property, or to property belonging to another employee, student, parent, contractor or visitor
- causing loss, damage or injury through serious carelessness or gross negligence
- dereliction of duty, including sleeping whilst at work
- wilful refusal to obey a reasonable management instruction or serious insubordination
- serious incapacity at work through an excess of alcohol or illegal drugs, whether consumed on or off Company premises but which affects the employee’s ability to carry out their job duties whilst at work
- bringing illegal drugs on to Company premises
- smoking on Company premises, other than in designated outside smoking areas
- logging on to sexually explicit websites, downloading or circulating pornographic or other offensive, illegal or obscene material or using the Internet or e-mail for gambling, illegal activities or the sending of offensive e-mails (e.g. jokes) to work colleagues (in the latter case, including from the employee’s home computer in their own time)
- recording audio or video of but not limited to: staff, parents or students; without the express written permission of the Director
- a serious breach of health and safety rules, including acts or omissions which endanger the safety of another employee, client, customer or visitor
- behaviour outside working hours or work location, which either results in or has the potential to result in criminal charges or convictions, which affect the employee’s ability to perform their job duties
- discriminating against, harassing, bullying or victimising another employee, client, customer or visitor because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origins), religion or belief, sex and/or sexual orientation
- a serious breach of confidentiality, including unauthorised access of computer and personnel records and communicating confidential information to third parties
- working for a competitor without permission
- knowingly breaking a legal requirement in connection with employment
- bringing the Company into serious disrepute, even if done in the employee’s own time
- continual unauthorised absences

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**The above is intended as a guide and is not an exhaustive list.**

#### **Suspension**

In the event of serious or gross misconduct, an employee may be suspended on full pay while a full investigation is carried out. Such suspension does not imply guilt or blame and will be for as short a period as possible. Suspension is not considered a disciplinary action.

#### **Appeals**

An employee may appeal against any disciplinary decision, including dismissal, to a Director of the Company within five working days of the decision. Appeals should be made in writing and state the grounds for appeal. The employee will be invited to attend an appeal hearing chaired by a Director. At the appeal hearing, the employee will again be given the chance to state his or her case and will have the right to be accompanied by a fellow employee of his or her choice.

Following the appeal hearing, the employee will be informed in writing of the appeal decision. The Company's decision on an appeal will be final.

#### **Employees with short service**

This disciplinary procedure does not apply to any employee who has been employed by the Company for less than six months.

## **ENVIRONMENTAL MANAGEMENT POLICY**

#### **Policy Statement**

This organisation believes that environmental issues such as pollution, waste management, energy and water conservation, transport issues and the recycling of resources, should be important items on the agenda of the modern employer. This organisation believes that it has a duty to act in a responsible, sustainable and ethical way and to work towards contributing to nationally-agreed environmental objectives.

The organisation understands that the aim of such sustainable development is to maintain the quality of the environment, both now and for generations to come. This includes:

- ① The conservation of energy, wood, paper, horticulture and water
- ① The reduction of pollution, especially pollution by ozone depleting substances, vehicle emissions, asbestos, hazardous substances, batteries, solvents and paints, biodegradables and litter
- ① The procurement of supplies and resources from renewable or environmentally friendly sources
- ① Responsible waste management.

#### **The Policy**

In order to improve its environmental management and to ensure that all of its activities and developments are as sustainable as possible this organisation will:

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- ① Adopt and implement an environmental and sustainable development policy which will be agreed with all members of staff
- ① Ensure that all organisations with whom the organisation contracts with and purchases from will be asked if they too have similar policies, and the organisation will gradually move its systems of procurement to more environmentally friendly sources
- ① Conduct a regular audit of its processes and wastes to identify areas where it can commit to long-term waste reduction targets
- ① Reduce waste levels by reusing whatever can be reused
- ① Maintain a recycling system in collaboration with local authorities, other local businesses and waste disposal organisations, particularly in regard to materials such as paper, tins, glass, plastic, cardboard and other packaging
- ① Recycle printer ink cartridges and consumables wherever possible
- ① Dispose of all electrical equipment according to the Directive on Waste Electrical and Electronic Equipment (the WEEE Directive), including such things as computer equipment, fridges and freezers
- ① Use energy efficient and low-power equipment wherever possible
- ① Ensure that all buildings, pipes and lofts are properly insulated and maintained in such a way as to be as energy efficient as possible
- ① Conserve power and water by encouraging staff to:
  - turn off non-essential lights and power sources when not in use
  - keep windows and doors closed when using heating
- ① Report and repair malfunctioning thermostats on radiators and dripping taps immediately
- ① Only use as much water as is necessary
- ① Reduce the harmful effects of car exhausts and congestion by maintaining vehicles in good condition and by cutting back on unnecessary journeys wherever possible
- ① Ensure that potentially dangerous substances are used as little as possible and are disposed of properly
- ① Ensure that staff are trained to comply with these policies.

All new staff should be encouraged to read the policy on environmental management as part of their induction process.

## **EQUAL OPPORTUNITIES POLICY**

### **Policy statement**

This organisation is committed to achieving a working environment that provides equality of opportunity and freedom from discrimination on the grounds of race, religion and belief, sex, sexual orientation, age, disability, marriage and civil partnership, pregnancy and maternity, gender reassignment. The organisation is also committed to building a workforce that is diverse and reflects the community around us.

The Company is an equal opportunity employer and is fully committed to a policy of treating all of its employees and job applicants equally. The Company will avoid unlawful discrimination in all aspects of employment including recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, and selection for redundancy and dismissal.

The Company will take all reasonable steps to employ, train and promote employees on the basis of their experience, abilities and qualifications without regard to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origins), religion or belief, sex or sexual orientation. In this policy, these are known as the “protected characteristics”.

#### Protected Characteristics

##### Definition and Explanation

##### Age

Means a person or persons belonging to a particular age group. An age group includes people of the same age and people of a particular range of ages. Where people fall in the same age group they share the protected characteristics of age.

##### Disability

Within the Act, a person has a disability if they have a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities. For the purposes of the Act, these words have the following meanings:

‘Substantial’ means more than minor or trivial.

‘Long-term’ means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions).

‘Normal day-to-day activities’ includes everyday things like eating, washing, walking and going shopping.

People who have had a disability in the past that meets this definition are also protected by the Act.

##### Progressive conditions considered to be a disability

There are additional provisions relating to people with progressive conditions. People with HIV cancer or multiple sclerosis are protected by the Act from the point of diagnosis. People with some visual impairments are automatically deemed to be disabled. Where people share the same disability, they share the protected characteristics of disability.

##### Gender Reassignment

This is defined for the purpose of the Act as where a person has proposed, started or completed a process to change his or her sex. A transsexual person has the protected characteristics of gender reassignment.

A woman making the transition to being a man and a man making the transition to being a woman both share the characteristic of gender reassignment, as does a person who has only just started out on the process of changing his or her sex and a person who has completed the process.

##### Marriage and Civil Partnership

This refers to people who have the common characteristics of being married or of being civil partners. A heterosexual man and a heterosexual woman who are married to each other and a man and another man who are civil partners and women and another woman who are civil partners all share the protected characteristic of marriage and civil partnership.

- People who are not married or civil partners do not have this protected characteristic.
- A person who is engaged to be married is not married and therefore does not have this protected characteristic.
- A divorcee or a person whose civil partnership has been dissolved is not married or in a civil partnership and therefore does not have this protected characteristic.

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### **Pregnancy and Maternity**

A woman remains protected in her employment during the period of the pregnancy and any statutory maternity leave to which she is entitled. This is now separate from protection on grounds of sex, which is not available to a woman during her pregnancy and maternity. It is unlawful to take into account an employee's period of absence due to pregnancy related illness when taking a decision about her employment.

### **Race**

For the purposes of the Act 'race' includes nationality and ethnic or national origins. People which have or share characteristics, of colour nationality or ethnic or national origins can be described as belonging to a particular racial group.

Examples:

- Colour includes black or white.
- Nationality includes being a British, Australian or Swiss Citizen.
- Ethnic or national origins include being from a Roma background or of Chinese heritage.
- A racial group could be 'Black Britons' which would encompass those people who are both black and who are British citizens.

### **Religion or Belief**

This covers people with religious or philosophical beliefs. To be considered a religion within the meaning of the Act, it must have a clear structure and belief system.

The Act includes the following examples:

The Baha 'I' faith, Buddhism, Christianity, Hinduism, Islam, Jainism, Judaism, Rastafarianism, Sikhism and Zoroastrianism.

To be considered a philosophical belief for the purposes of the Act, it must be:

"Genuinely held; be a belief and not an opinion or viewpoint; be a belief as to a weighty and substantial aspect of human life and behaviour; attain a certain level of cogency, seriousness, cohesion and importance; and be worthy of respect in a democratic society, compatible with human dignity and not conflict with the fundamental rights of others"

The Act cites as examples of philosophical beliefs: Humanism and Atheism.

A cult involved in illegal activities would not satisfy these criteria nor would achieve to a particular football team.

People who are of the same religion or belief share the protected characteristic of religion or belief.

### **Sex (formerly gender)**

For the purposes of the Act, sex means being a man or a woman. Men share the sex characteristics with other men and women with other women.

### **Sexual Orientation**

This is defined in the Act as a person's sexual orientation towards:

- People of the same sex as him or her (in other words the person is a gay man or a lesbian).
- People of the opposite sex from him or her (the person is heterosexual).
- People of both sexes (the person is bisexual)

People sharing a sexual orientation mean that they are of the same sexual orientation and therefore share the characteristics of sexual orientation.

Discrimination may be direct or indirect. Direct discrimination is deliberate. Discrimination is indirect: when an unnecessary condition or requirement is imposed, whether intentionally or inadvertently, such that the proportion of members of one group who can comply with it is

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considerably smaller than the proportion of other groups.

## **EQUALITY AND DIVERSITY POLICY**

The organisation is committed to a policy of equal opportunities for all and requires all employees to abide by and adhere to this general principle, and to the requirements of the Code of Practice laid down by the Equality and Human Rights Commission.

### **Policy Statement**

Since coming into force in October 2010 this legislation is probably the least understood and most widely misrepresented. The Act is phrased in due to its complex and overarching legal framework, replacing over 116 separate pieces of legislation into one single Act. The Act simplifies strengthens and harmonises the current legislation (pre 2010) to provide Britain with a new discrimination law, which protects individual from unfair treatment and promotes a fair and equal society.

The 9 main pieces of legislation that have merged are:

- ① The Equal Pay Act 1970
- ① The Sex Discrimination Act 1975
- ① The Race Relations Act 1976
- ① The Disability Discrimination Act 1995
- ① The Employment Equality (Religion or Belief) Regulation 2003
- ① The Employment Equality (Sexual Orientation) Regulation 2003
- ① The Equality Act 2006 Part 2
- ① The Equality Act (Sexual Orientation) Regulation 2007

As an organisation we are aware of the importance of this Act in relation to children's and staff and to the good governance of the organisation generally.

### **The Policy**

The Equality and Human Rights Commission (EHRC) from time to time, publishes guidance, develops different Codes of Practice in line with a timetable set by government. The basis upon which the Equality Act is structured is Protected Characteristics and how they apply both in the workplace and in everyday life.

### **Protected Characteristics**

#### **Definition and Explanation**

##### **Age**

Means a person or persons belonging to a particular age group. An age group includes people of the same age and people of a particular range of ages. Where people fall in the same age group they share the protected characteristics of age.

##### **Disability**

Within the Act, a person has a disability if they have a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities. For the purposes of the Act, these words have the following meanings:

'Substantial' means more than minor or trivial.

'Long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions).

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'Normal day-to-day activities' includes everyday things like eating, washing, walking and going shopping.  
People who have had a disability in the past that meets this definition are also protected by the Act.

#### **Progressive conditions considered to be a disability**

There are additional provisions relating to people with progressive conditions. People with HIV cancer or multiple sclerosis are protected by the Act from the point of diagnosis. People with some visual impairments are automatically deemed to be disabled. Where people share the same disability, they share the protected characteristics of disability.

#### **Gender Reassignment**

This is defined for the purpose of the Act as where a person has proposed, started or completed a process to change his or her sex. A transsexual person has the protected characteristics of gender reassignment.

A woman making the transition to being a man and a man making the transition to being a woman both share the characteristic of gender reassignment, as does a person who has only just started out on the process of changing his or her sex and a person who has completed the process.

#### **Marriage and Civil Partnership**

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① People who are not married or civil partners do not have this protected characteristic.

① A person who is engaged to be married is not married and therefore does not have this protected characteristic.

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A woman remains protected in her employment during the period of the pregnancy and any statutory maternity leave to which she is entitled. This is now separate from protection on grounds of sex, which is not available to a woman during her pregnancy and maternity. It is unlawful to take into account an employee's period of absence due to pregnancy related illness when taking a decision about her employment.

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This covers people with religious or philosophical beliefs. To be considered a religion within the meaning of the Act, it must have a clear structure and belief system.

The Act includes the following examples:

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This is defined in the Act as a person's sexual orientation towards:

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- ① People of the opposite sex from him or her (the person is heterosexual).
- ① People of both sexes (the person is bisexual)

People sharing a sexual orientation mean that they are of the same sexual orientation and therefore share the characteristics of sexual orientation.

### **Types of Discrimination**

#### **Direct Discrimination**

Direct discrimination occurs when someone is treated less favourably than another person because of a "Protected Characteristic" they have or are thought to have (see perception discrimination below), or because they associate with someone who has a "Protected Characteristic" (see discrimination by association below).

#### **Example**

Paul, a senior manager, turns down Angela's application for promotion to a supervisor position. Angela, who is a lesbian, learns that Paul did this because he believes that the team she applied to manage are homophobic. Paul thought that Angela's sexual orientation would prevent her from gaining the team's respect and managing them effectively. This is direct sexual orientation discrimination against Angela.

#### **1. Discrimination by Association**

Already applies to age, race, religion or belief and sexual orientation, now extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because they associate with another person who possesses a "Protected Characteristic".

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**Example**

June works as a project manager and is looking forward to a promised promotion. However, after she tells her boss that her mother, who lives at home, has had a stroke, the promotion is withdrawn. This may be discrimination against June because of her association with a disabled person.

**2. Perception Discrimination**

Already applies to age, race, religion or belief and sexual orientation, now extended to cover 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.

**Example**

Jim is 45 years old but looks much younger. Many people assume that he is in his mid-20s. He is not allowed to represent his organisation at an international meeting because the Managing Director thinks that he is too young. Jim has been discriminated against on the perception of a “Protected Characteristic”.

**3. Indirect Discrimination**

Already applies to age, race, religion or belief, sex, sexual orientation and civil partnership, now extended to cover disability and gender reassignment.

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your organisation that applies to everyone but particularly disadvantages people who share a “Protected Characteristic”. Indirect discrimination can be justified if you can show that you acted reasonably in managing your organisation, i.e. that it is “a proportionate means of achieving a legitimate aim.” A legitimate aim might be any lawful decision you make in running your organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful.

Being proportionate essentially means being fair and reasonable, including showing that you’ve looked at “less discriminatory” alternatives to any decision you make.

**Example**

A small finance organisation needs its staff to work late on a Friday afternoon to analyse stock prices in the American finance market. The figures arrive late on Friday because of the global time differences. During the winter some staff would like to be released early on a Friday afternoon in order to be home before sunset – a requirement of their religion. They propose to make the time up later during the remainder of the week.

The organisation is not able to agree to this request because the American figures are necessary to carry on the business, they need to be worked on immediately and the organisation is too small to have anyone else able to do the work.

The requirement to work on Friday afternoon is not unlawful indirect discrimination as it meets a legitimate business aim and there is no alternative means available.

**4. Harassment**

Harassment 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.”

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Harassment applies to all “Protected Characteristics” except for pregnancy and maternity, and marriage and civil partnership. Employees will now be able to complain of behaviour they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

#### **Example(s)**

Paul is disabled and is claiming harassment against his line manager after she frequently teased and humiliated him about his disability. Richard shares an office with Paul and he too is claiming harassment, even though he is not disabled, as the manager’s behaviour has also created an offensive environment for him.

Steve is continually being called gay and other related names by a group of employees at his work. Homophobic comments have been posted on the staff notice board about him by people from this group. Steve was recently physically pushed to the floor by one member of the group but is too scared to take action. Steve is not gay but heterosexual; furthermore the group know he isn’t gay. This is harassment because of sexual orientation.

#### **5. Third Party Harassment**

Already applies to gender, now extended to cover age, disability, gender reassignment, race, religion or belief and sexual orientation.

The Equality Act makes you potentially liable for harassment of your employees by people (third parties) who are not employees of your organisation, such as customers or clients. You will only be liable when harassment has occurred on at least 2 previous occasions, you are aware that it has taken place, and have not taken reasonable steps to prevent it from happening again.

#### **Example**

Chris manages a Council Benefits Office. One of his staff, Frank, is homosexual. Frank mentions to Chris that he is feeling unhappy after a claimant made homophobic remarks in his hearing. Chris is concerned and monitors the situation. Within a few days the claimant makes further offensive remarks. Chris reacts by having a word with the claimant, pointing out that his behaviour is unacceptable. He considers following it up with a letter to him pointing out that he will ban him if this happens again. Chris keeps Frank in the picture with the actions he is taking, and believes he is taking reasonable steps to protect Frank from third party harassment.

#### **6. Victimisation**

Victimisation occurs when an employee is treated badly because they have made or supported a complaint; or raised a grievance under the Equality Act; or because they are suspected or doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

There is no longer a need to compare treatment of a complaint with that of a person who has not made or supported a complaint under the Act.

#### **Example**

Anne makes a formal complaint against her manager because she feels that she has been discriminated against because of marriage. Although the complaint is resolved through the organisation’s grievance procedures, Anne is subsequently ostracised by her colleagues, including her manager. She could claim victimisation.

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## 7. Pregnancy and Maternity

The “Protected Characteristics” are the same as under the old Sex Discrimination Act 1975. Women who are pregnant are protected against unfair workplace practices because of their pregnancy.

### Example

Lydia is pregnant and works at a call centre. The manager disciplines her for taking too many toilet breaks as they would any other member of staff, despite knowing that she is pregnant. This is discrimination because of pregnancy and maternity, as this characteristic does not require the normal comparison or treatment with other employees.

### “Protected Characteristics”: Key Notes

Set out below is a guide to any changes under each of the headings of “Protected Characteristics.”

#### Age (No change)

The Act protects people of all ages. However, different treatment because of age is not unlawful direct or indirect discrimination if it can be justified, i.e. if it can be demonstrated as a proportionate means of meeting a legitimate aim. Age is the only “Protected Characteristic” that allows employers to justify direct discrimination.

The Act continues to allow employers to have a default retirement age of 65 until April 2011. After April 2011, all employers should have a clear policy regarding the employment of Retirees. This could include fitness to work checks, review date of fitness to work, yearly extension of contract etc. Women have a graduated transition to retirement at 65 years if born after 1<sup>st</sup> April 1950.

#### Disability (New Definition and Changes)

The Act has made it easier for a person to show that they are disabled and to be protected from disability discrimination. Under the Act, a person is disabled if they 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, which would impact such activities as using a telephone, reading a book or using public transport.

As previously, the Act puts a duty on you as an employer to make reasonable adjustments for your staff to help them overcome disadvantage resulting from an impairment (e.g. by providing assistive technologies to help visually impaired staff to use computers effectively).

The Act includes a new protection from discrimination arising from disability. This states that it is discrimination to treat a disabled person unfavourably because of something connected with their disability (e.g. a tendency to make spelling mistakes arising from dyslexia). This type of discrimination is unlawful where the employer or other person acting on behalf of the employer knows, or could reasonably be expected to know, that the person has a disability. This type of discrimination is only justifiable if the employer can show that it is a proportionate means of achieving a legitimate aim.

Additionally, indirect discrimination now covers disabled persons. This means that a job applicant or employee could claim that a particular rule or requirement you have in place disadvantages persons with the same disability. Unless you could justify this, it would be unlawful.

The Act also includes a new provision which makes it unlawful, except in certain circumstances, for employers to ask questions about a candidate’s health before offering them work.

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**\*Please note:**

The Department of Health issued Code of Practice for Health and Adult Social Care on the Prevention and Control of Infections and Related guidance, Criterion 10 states clearly that all services deemed as regulated activities under the Health and Social Care Act 2008 should ensure that all staff fill in a pre-employment health questionnaire and give information about residence overseas, previous and current illness and immunisation against relevant infections.

**Gender Reassignment (New Definition)**

The Act provides protection for transsexual persons. A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The Act no longer requires a person to be under medical supervision to be protected; therefore, a woman who decides to live as a man but does not undergo any medical procedures would be covered.

If transsexual persons propose to undergo, are undergoing or have undergone gender reassignment, then it would be discrimination to treat them less favourably for a work absence than if they were absent due to illness or injury.

**Marriage and Civil Partnership (No Change)**

The Act protects employees who are married or in a civil partnership against discrimination. Single persons are not protected.

**Pregnancy and Maternity (No Change)**

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination. See Annex 1 for an example. You must not take into account an employee's period of absence due to pregnancy-related illness when making a decision about her employment.

**Race (No Change)**

For the purposes of the Act 'race' includes colour, nationality and ethnic or national origins.

**Religion or Belief (No Change)**

In the Equality Act, religion includes any religion. It also includes a lack of religion; in other words, employees 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. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief. Discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief. Druids and Pagans are now seen as religions for the purposes of the Act.

**Sex (No Change)**

Both men and women are protected under the Act.

**Sexual orientation (No Change)**

The Act protects bisexual, homosexual, heterosexual and lesbian people.

It is important that staff are aware of the changes in the act and of their role in relation children and colleagues. Within the social care sector, services are often provided which are of a sensitive and

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private nature. Staff must be made aware of the cultural and ethnic needs of the children in the delivery of the care to the individual concerned.

#### **Please Note**

This organisation is aware of the specific guidance which is now available to small businesses via the Equality and Human Rights website. Under their "Advice and Guidance" heading there are now specific guidance notes which assist small businesses and are example led for different situations. This advice and guidance is aimed at all service providers and includes guidance about ISSP. This organisation takes the advice and guidance regarding discriminatory advertising seriously and regularly reviews any marketing or advertising on its website

**Part Two** of this policy is intended as an aide-mémoire for staff who are involved in meeting the needs of any ethnic minority group, it is not exhaustive. Guidance on the cultural and ethnic needs of children should be met in a way that offers privacy, dignity and respect. The attached notes should be seen as the first steps in guiding staff to meet this aim. Further information should be sought where appropriate. The information is set out in such a way that the information can be placed in the children's file. The Human Rights Act 1998 and its Articles are considered to be part of the basis for the new Equality Act 2010.

Employees have a duty to co-operate with the Company to make sure that this policy is effective in ensuring equal opportunities and in preventing discrimination. Action will be taken under the Company's disciplinary procedure against any employee who is found to have committed an act of improper or unlawful discrimination. Serious breaches of this equal opportunities policy statement will be treated as potential gross misconduct and could render the employee liable to summary dismissal. Employees should bear in mind that they can be held personally liable for any act of unlawful discrimination.

You should draw the attention of your supervisor to suspected discriminatory acts or practices. You must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or who has provided information about such discrimination. Such behaviour will be treated as potential gross misconduct in accordance with the Company's disciplinary procedure. You should support colleagues who suffer such treatment and are making a complaint. The Company has a separate dignity at work policy statement which deals with harassment, bullying and intimidation and sets out how complaints of that type will be dealt with.

#### **Recruitment and selection**

The recruitment process will be conducted in such a way as to result in the selection of the most suitable person for the job in terms of relevant experience, abilities and qualifications. The Company is committed to applying its equal opportunities policy statement at all stages of recruitment and selection.

The selection process will be carried out consistently for all jobs at all levels. All applications will be processed with regards to the nature of the position applied for. The staff responsible for short-listing, interviewing and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application. Person specifications and job descriptions will be limited to those requirements that are necessary for the effective performance of the job. Wherever possible, all applicants will be interviewed by at least one or two interviewers and all questions asked of the applicants will relate to the requirements of the job. The selection of new staff will be based on the job requirements and the individual's suitability and ability to do, or to train for, the

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job in question.

Teaching staff will be expected to undergo a diagnostics test as part of the recruitment and selection process. In the event of a successful pass in the diagnostics test, the candidate would be trained for a set number of hours as per the requirement of the company. Training will be unpaid. After successful completion of training the candidate may be offered a part/full time position, dependant on the needs and requirements of the Company.

Due to the nature of the business, Enhanced Disclosure and Barring Service checks (DBS, formally known as the Criminal Records Bureau or CRB) are a necessary requirement for all staff to undergo, regardless of job title. It is a condition precedent of employment under the Contract of Employment/Statement of Terms and Conditions of Employment and of continued employment that you do not have any criminal convictions (other than minor motoring offences). Any offer of employment may be withdrawn if results are found to be unsuitable. The final selection will then be approved by the Director.

With disabled job applicants, the Company will have regard to its duty to make reasonable adjustments to work provisions, criteria and practices or to physical features of work premises or to provide auxiliary aids or services in order to ensure that the disabled person is not placed at a substantial disadvantage in comparison with persons who are not disabled. If it is necessary to assess whether personal circumstances will affect the performance of the job (for example, if the job involves unsociable hours or extensive travel), this will be discussed objectively, without detailed questions based on assumptions about any of the protected characteristics.

#### **Training and promotion**

Training will be provided where necessary to support each staff to develop to their full potential.

#### **Terms of employment, benefits, facilities and services**

All terms of employment, benefits, facilities and services will be reviewed from time to time, in order to ensure that there is no unlawful direct or indirect discrimination because of one or more of the protected characteristics.

#### **Equal pay and equality of terms**

The Company is committed to equal pay and equality of terms in employment. It believes its male and female employees should receive equal pay where they are carrying out like work, work rated as equivalent or work of equal value. In order to achieve this, the Company will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

#### **Procedure for Dealing with Complaints of Discrimination**

Employees or contracted staff who believe that they are subject to discrimination at work, either by the organisation or by another employee, can have recourse to this organisation's grievance procedure as set out in their terms of employment. Some discriminatory acts may contravene the Sex Discrimination Act 1975 or the Race Relations Act 1976. These and other forms of discrimination will be taken seriously by the organisation. Failure to comply with the Equal Opportunities Policy and proven acts of discrimination by an employee will be handled under the organisation's disciplinary procedure.

#### **Complainants should:**

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- ① Record the details of what happened or of the specific nature of the complaint
- ① Record details of when and where any occurrence took place
- ① Record the names and contact details of witnesses if appropriate.

All complaints should be dealt with in a professional and confidential manner.

#### **Reporting complaints**

All allegations of discrimination will be dealt with seriously, confidentially and speedily. The Company will not ignore or treat lightly grievances or complaints of unlawful discrimination from employees.

If you wish to make a complaint of discrimination, you should do so promptly and use the Company's grievance procedure.

If your complaint relates to bullying, harassment or intimidation, you should refer to the Company's dignity at work policy statement.

#### **Monitoring equal opportunity**

The Company will regularly monitor the effects of selection decisions and personnel and pay practices and procedures in order to assess whether equal opportunity is being achieved. This will also involve considering any possible indirectly discriminatory effects of its working practices.

If changes are required, the Company will implement them. The Company will also make reasonable adjustments to its standard working practices to overcome substantial disadvantages caused by disability.

#### **Training Statement**

All new staff should be encouraged to read the policy on equal opportunities as part of their induction process.

A variety of training courses on equal opportunities and related matters are usually available through organised through the Local Authority. All existing staff will undergo training and/or briefing to enable them to meet the requirements of this policy, and should be offered advice and guidance to ensure they understand their responsibilities within their role and the organisation's policy.

## **FINANCIAL IRREGULARITIES POLICY**

#### **Policy Statement**

This organisation is committed to the highest standards of moral and ethical behaviour. Employees of the organisation are expected to report known or suspected financial irregularities. The organisation believes that its children have a right to expect that the organisation will be run in an honest and sound financial basis, with robust procedures for dealing with and protecting the financial interests of children.

#### **The Policy**

This policy is intended to set out the values, principles and policies underpinning this organisation's approach to financial irregularities in the management of the organisation and in the management of children's money and finances. The goal of the organisation is to ensure that children's financial interests are safeguarded by staff working for the organisation.

#### **Policy on Financial Irregularities**

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In this organisation:

- ① Written records of all transactions with children should be maintained and kept securely
- ① Open, transparent and robust accounting and financial procedures should be adopted and annually audited by an independent firm of auditors
- ① Annual accounts will be prepared and submitted by a professional independent accountant
- ① Any member of organisation staff who suspects that a children may be being cheated, defrauded or robbed, or that a children is no longer capable of managing their own finances, should report their suspicions to their line manager or supervisor; any member of organisation staff who suspects financial irregularities or corruption by organisation staff or managers should report their suspicions immediately to the owner of the organisation, followed by the appropriate Safeguarding action.
- ① All organisation staff are encouraged to raise any genuine concerns about any: malpractice, suspected crime, breach of legal obligations, miscarriage of justice, danger to health and safety or the environment, financial malpractice, fraud, corruption and breach of regulations—or any cover-up of these—that they may come across which affects the organisation, its children or other staff; individuals who so disclose information have statutory protection in line with the Public Interest Disclosure Act 1998 and the organisation’s Whistleblowing Policy, provided that concerns are raised in the right way and they are acting in good faith
- ① All financial irregularities or suspected financial irregularities will be fully investigated by the owner of the organisation as per the organisation’s Disciplinary Policy
- ① Any evidence of fraud or criminal activities will be immediately reported to the police
- ① All members of organisation staff should co-operate fully with, and make any documents available to, the police and/or their appointed auditors upon investigation of any allegations of financial irregularities
- ① The organisation will maintain a register (that is open to inspection) within which the organisation’s owners and managers should declare, in writing, any interest or involvement with: any other separate organisation providing care or support services or responsible for commissioning or contracting those services, including where partners or other close family members own or manage at a senior level; other organisations providing domiciliary, day, residential or nursing care
- ① Where financial information is held on a computer or in a database then the requirements of the Data Protection Act 1998 should be followed
- ① All parties involved with a financial irregularity must handle the reporting and investigating with utmost confidentiality and objectivity.

#### **Training Statement**

All new staff should be encouraged to read the policies on handling children’ money and involvement with children’ financial affairs as part of their induction process. Existing staff should be provided with regular training updates. It is extremely important for the organisation to impress upon staff the importance of maintaining high standards in dealing with money.

### **FIRE SAFETY POLICY**

#### **Policy Statement**

This organisation believes that staff and children should be as safe as possible from the threat of fire or from injury in the case of an outbreak of fire. The organisation believes that the best way to ensure this state of safety exists is to have robust fire policies and procedures in place; to ensure that staff are well trained to cope with an outbreak of fire or an alarm and to ensure that appointed fire wardens, and fire marshals are in place in accordance with the law in the organisation’s offices.



### **The Policy**

This policy is intended to set out the values, principles and policies underpinning this organisation's approach to fire safety. The aim of the organisation is to ensure that, as far as is possible, fires are prevented and that, in the event of a fire, staff know exactly what to do and how to react.

### **The goals of the organisation are:**

- ① To minimise the risk of workplace fire by the use of adequate fire prevention and risk-assessment techniques
- ① To ensure that all staff understand what to do in the event of a fire
- ① To ensure that all staff attend fire training at least annually
- ① To ensure that, in the event of a fire, the organisation premises and children' homes can be evacuated as quickly, safely and efficiently as possible.

### **In the event of a fire**

A member of staff will raise the alarm immediately and the supervisor will designate a member of staff (usually the office administrator) to contact the emergency services and meet them on their arrival.

All children will immediately be escorted out of the building by all staff and to the assembly point using the nearest marked exit. No attempt will be made to collect personal belongings, or to re-enter the building after evacuation.

The premises will be checked by the designated Fire Safety marshal and the register and visitors log book will be collected, providing that this does not put anyone at risk. On exiting the building, the Fire Safety Officer will close all accessible doors and windows to prevent the spread of fire, providing this does not put themselves or others at risk.

The register will be taken and all children, staff and visitors accounted for. If any person is missing from the register, the emergency services will be informed immediately. If for any reason the register is not to hand, the Supervisor should access the emergency contacts list that is kept off the premises.

If for any reason the designated fire safety officer is absent at the time of an incident, the Supervisor will assume responsibility or nominate a replacement member of staff.

Ofsted will be notified about any significant changes or events.

Best Tutors designated Fire marshal is: **Mr Saad Bin Adil Khan**

### **Staff should:**

- ① Never stop to collect valuables or possessions
- ① Never use lifts (except for disabled stair lifts where there is no alternative means of transporting a children downstairs)
- ① Never open doors where they can see smoke coming through, unless that is the only means of escape
- ① Never attempt to re-enter the building until told it is safe to do so by a fire brigade officer.

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### **In the Organisation's Premises**

On the discovery of or suspicion of a fire:

- ① Staff should remain as calm as possible
- ① The first person aware of the fire or on the scene should raise the alarm immediately by operating the nearest break-glass fire alarm or by shouting "Fire"
- ① If the suspicion is raised by seeing smoke coming from under a door, or by seeing smoke in a closed room, staff should on no account attempt to open the door but should raise the alarm and summon the fire brigade as quickly as possible
- ① Small fires can be fought with the appropriate fire extinguisher, but only if safe to do so, if the individual has received training, and if the alarm has already been raised.

In the event of a fire, or of the fire alarm sounding, staff should:

- ① Evacuate the building immediately and go to the nearest designated fire assembly point
- ① Remain as calm as possible and help any children, visitors, disabled persons or contractors on the premises to evacuate
- ① Where possible and safe to do so, check all rooms (in particular toilets) to ensure nobody remains in them or are trapped
- ① Close all doors
- ① Ensure that any person not accounted for is immediately reported to the organisation manager (or deputy), nominated fire warden or directly to a fire brigade officer.

Staff should:

- ① Never stop to collect valuables or possessions
- ① Never use lifts
- ① Never open doors where they can see smoke coming through, unless that is the only means of escape
- ① Never attempt to re-enter the building until told it is safe to do so by the organisation manager (or deputy), by a nominated fire warden or by a fire brigade officer.

The organisation manager (or nominated fire safety warden) is responsible for ensuring that:

- ① The fire brigade has been called to any fire by dialling 999 and asking for Fire Service
- ① The fire brigade is met on arrival
- ① The Staff Nominal Roll and visitor book is removed from the building and used to account for staff and visitors by roll call
- ① Any person not accounted for is immediately reported to the fire brigade upon arrival.

The appointed Fire Safety Wardens are responsible for:

- ① Supervising evacuation assembly points
- ① Carrying out roll calls
- ① Liaising with the fire brigade on arrival.

It is the organisation's policy that an appointed fire warden should be on duty at all times.

### **Note:**

If the suspicion of fire is raised by seeing smoke coming from under a door, or by seeing smoke in a closed room, staff should on no account attempt to open the door but should raise the alarm and summon the fire brigade as quickly as possible.

### **Fire Risk Assessment Protocol**

The fire safety marshal is responsible for carrying out Fire Risk Assessments.

### **Daily Checks (usually carried out at close of day)**

- ① That all fire doors are closed
- ① That all fire exits and stairways are free of clutter

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- ① That all unnecessary electrical equipment and heaters are turned off
- ① That store rooms or rubbish areas do not have smouldering fires
- ① That areas where contractors have been working are free of fire hazards.

#### **Weekly Checks**

- ① That alarm systems function and can be heard in all parts of the building
- ① That all fire fighting equipment is in good repair, are in place and in date
- ① That stocks of flammable materials or gases are kept to an absolute minimum and are stored safely away
- ① That all goods and boxes are safely stored away to minimize clutter, reduce the fuel available to a fire and to enable people to exit the building safely in the event of an emergency
- ① That all Fire Instruction and No Smoking notices are in place and have not been obscured
- ① That individual rooms do not contain obvious fire hazards such as overfull waste baskets or portable heaters placed close to curtains
- ① That all electrical equipment is free of obvious defects such as worn cables and exposed leads
- ① That organisation security arrangements are all in place discouraging arson.

#### **Annual Checks**

- ① That fire alarm systems, smoke detectors, emergency lighting, sprinkler systems and fire fighting equipment are serviced on an annual basis.
- ① The alarm system fitted by SGN Compliance Limited 29 Hornsby Square Southfields Business Park Basildon Essex SS15 6SD]
- ① The engineers contracted to service the fire alarm systems are [SGN Compliance Limited 29 Hornsby Square Southfields Business Park Basildon Essex SS15 6SD]
- ①
- ① The organisation contracted to service the fire extinguishers is

OHEAP

Fire Protection Consultant

**Address:** Chandos House/Chandos Pole St, Derby DE22 3BJ

**Phone:** 01332 366721

**Hours:**

Monday to Friday 8am–5pm

Saturday and Sunday Closed

**Website:** extservice@oheap.co.uk

#### **Administrative Guidelines**

Full records of fire precautions should be kept in the Fire Log. This information should be entered by the fire safety lead or by one of the nominated fire wardens and should include:

- ① For fire drills: the times and dates of drills, and the time between sounding the alarm and the last person leaving the building
- ① For fire alarm tests: the times and dates of tests
- ① For fire fighting equipment, alarms and fittings such as emergency lighting: the times and dates of inspections, of replacements and of servicing
- ① For training: times and dates of training events, who attended and what was covered
- ① The office administrator is responsible for ensuring that the staff and children nominal rolls are kept up to date.

#### **Personnel**

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- ① The fire safety lead is responsible for ensuring that the correct fire procedures and arrangements are in place.
- ① The fire safety lead for the organisation is the office administrator.
- ① Fire wardens are responsible for supporting the fire safety lead.
- ① The nominated fire warden for the organisation is the office administrator.
- ① Nominated fire warden posts will be reviewed every year.
- ① The organisation's fire advisor is: [OHEAP Fire Protection Consultant]

### **Training Statement**

All new staff should be encouraged to read the policy on fire safety as part of their induction process. All members of staff should be aware of the procedures in case of a fire at the organisation premises.

They should also all be aware of how they must respond in the event of an emergency.

### **All new and existing staff should know:**

- ① Who is responsible for ensuring the correct fire procedure is carried out
- ① Who the fire wardens are
- ① The location and usage of all fire extinguishers, and where special extinguishers (e.g., those suitable for use on electrical equipment) are located
- ① The location of break-glass fire alarm points
- ① The emergency fire evacuation procedures
- ① How to use the internal telephone systems to call for the fire brigade.

In-house training sessions for existing staff should be arranged so that all relevant staff can attend a session every year.

Such general fire safety training should include instruction on fire prevention, on what to do in the event of a fire and on fire fighting. Records should be kept in the fire log of who attended each session. Staff who do not attend should be reminded to attend the next session. Additional training should be available for fire safety wardens.

## **FIRST AID POLICY**

### **Policy Statement**

This organisation recognises its responsibility to ensure that all reasonable precautions are taken to provide and maintain working conditions which are safe, healthy and compliant with all statutory requirements and codes of practice. This includes the provision of Qualified First Aiders in the organisation, who are qualified to deal with minor injuries. In order to ensure that we have enough first aid provision this organisation undertakes a First-aid needs assessment as recommended by the Health and Safety Executive. <http://www.hse.gov.uk/> and our First Aid Provision reflect this assessment.

### **The Policy**

This organisation understands 'First Aid' to refer to:

- ① the initial and appropriate management of illness or injury which aims to preserve life or minimise the consequences of injury and illness until professional medical help can be obtained;
- ① The treatment of minor injuries that do not require the attention of a medical practitioner or nurse.

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### **First Aiders**

This organisation ensures that a Qualified First Aider is available at all times that there are staff working. They should be contacted via the main office, where there is a list displayed with their names. In addition to Qualified First Aiders, the organisation also supports a number of staff trained in paediatric first aid Qualified First Aiders.

Staff who are currently trained are:

- Yousaf Quraishi
- Abdulbasit
- Abdi
- Suneel
- Rabeeah Mehmood
- Saad
- Waqas
- Rubina
- Amino
- Hlaima
- Muna
- Faisal
- Mady
- Shamayah

### **Minor Injuries**

If the injury is minor and does not require medical assistance the first aider should address the injury and complete an accident record, this record will be signed by the first aider and by the parent or carer of the child. If the injury is minor but requires medical assistance the first aider will take the child to the nearest health centre, the child's medical information and registration forms should be taken with them, a member of staff at the setting should contact the parent or carer to inform them of the accident and the actions that have been taken. Upon returning to the setting the first aider should complete the accident report and have it ready for the parent to sign.

### **Serious Accidents and Injuries**

If the injury is serious and hospital treatment is required a member of staff should call an ambulance immediately and a member of staff should accompany the child to the hospital. The child's registration form containing medical information should accompany them to the hospital. A member of staff should inform the parent or carer of the child (or an emergency contact) immediately and inform them of the accident and what hospital the child has been taken to.

### **Recording Accidents**

All accidents and injuries, however minor must be recorded in the accident book. Each child has their own page in the book and parents have access to their child's records and those alone. The accident record should include the following:

- ① Name of the child
- ① Date and time of accident
- ① How the accident occurred
- ① The extent of the injury
- ① What treatment if any was given?

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① Parent or carer must sign the accident record Form.

#### **Arrangements for children with particular medical needs**

Prior to joining Best Tutors, all medical details are required so that the staff can provide the level of care expected. Where appropriate, parents and Management, along with any relevant members of staff, will meet prior to a child joining the Best Tutors to ensure such provision is in place. Special arrangements, such as, training are made when necessary to ensure medical needs are met.

#### **First Aid boxes**

All employees in this organisation should have access to a First Aid Box whilst at work. The principal First Aid Box is carried by the on-call First Aider who is responsible for checking its contents and ensuring that it is replenished when necessary. The box should contain the following:

- ① A Health & Safety Executive (HSE) leaflet giving general guidance on First Aid
- ① 20 individually wrapped sterile adhesive dressings (assorted sizes)
- ① 2 sterile eye pads
- ① 4 individually wrapped triangular bandages (preferably sterile)
- ① 6 safety pins
- ① 6 medium sized (approximately 12 cm x 12 cm) individually wrapped sterile non-medicated wound dressings
- ① 2 large (approximately 18 cm x 18 cm) sterile individually wrapped non-medicated wound dressings
- ① 1 pair of disposable gloves.

In this organisation, tablets or medicines should never be kept in the First Aid Box, and items that are out of date should be replaced and disposed of immediately.

#### **First Aid Information (Signs and Posters)**

First Aid signs and posters are prominently displayed in the main office informing staff, visitors and children what to do in the event of an emergency and from whom to obtain First Aid assistance. This should include emergency contact telephone numbers. Similar information is included in all staff induction packs and should be carried by staff at all times.

All staff must familiarise themselves with the First Aid arrangements and with the names and locations of Qualified First Aiders or Appointed Persons and First Aid Boxes.

#### **Record Keeping**

In all situations where staff or children are injured at work and requiring First Aid the accidents procedure should be followed and the appropriate accident forms should be filled in and witnessed. An incident record should also be made in the Accidents Book if required.

First Aiders must keep a record of all treatment that they provide by completing a First Aid Treatment Record. This information helps to identify accident trends and can be used for reference in future First Aid needs assessment.

Injuries at work are also covered by RIDDOR (the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995) and may require a report to be made to the HSE (see Accident Reporting Policy).

#### **Training Statement**

Any staff member who wishes to become a Qualified First Aider should contact their line manager or supervisor and register their interest. The organisation will support and sponsor training for

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Qualified First Aider and Refresher Courses in so far as the organisation requires a sufficient pool of qualified staff to cover shifts.

We have qualified First Aiders who hold a valid certificate of Competence in Paediatric First Aid at Work, issued by an organisation whose training and qualifications are recognised by the HSE. Such certificates are valid for three years; refresher training and re-testing will take place before the qualification expires.

## **FOOD HYGIENE POLICY**

### **Policy Statement**

This organisation believes that, where care provided to children includes help with the cooking, storing, preparing or serving food, then the organisation has a duty to ensure that all children are protected from food-related illness through the adoption of high standards of food hygiene and preparation.

### **The Policy**

This organisation believes that the effective management of food safety relies heavily on having effective operational policies for the safe preparation, storage and handling of food. Therefore, this organisation operates the following procedures:

- ① All food should be prepared, cooked, stored and presented in accordance with the high standards required by the Food Safety Act 1990 and the Food Hygiene (England) Regulations 2006.
- ① In all cases where food is to be prepared in a children's home, a preliminary risk assessment of the available food preparation and storage facilities should be carried out. Where a home requires improvements or changes these should be discussed with the children or their family prior to food preparation taking place. Where conditions are assessed as unacceptable alternative methods of food provision should be sought.
- ① Staff should keep all food preparation areas, storage areas and serving areas clean while they are using them. All tools and equipment such as knives, utensils and chopping boards must also be cleaned regularly during the cooking process.
- ① Adequate sanitary and hand-washing facilities should be available within the kitchen, including a supply of soap and paper towels for hand drying. All staff MUST wash their hands before and after handling foodstuffs. All foodstuffs should also be washed before use.
- ① Everyone in a food handling area must maintain a high level of personal cleanliness and food handlers must wear suitable, clean and where appropriate protective clothing.
- ① Staff preparing food should take all reasonable, practical steps to avoid the risk of contamination of food or ingredients.
- ① Food storage areas should protect food against external sources of contamination such as pests.
- ① Food handlers must receive adequate supervision, instruction and training in food hygiene.
- ① When serving food, appropriate hygiene standards should be scrupulously observed by all staff.
- ① Suspected outbreaks of food-related illness should be reported immediately to the children's GP.
- ① Any member of staff who becomes ill whilst handling food should stop work at once and report to their line manager/supervisor; such staff should see their GP and should only return to work when their GP states that they are safe to do so.

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**In addition staff should:**

- ① Always wash their hands after visiting the lavatory
- ① Ensure that all food stored in the refrigerator is covered and adequately chilled
- ① Ensure the thorough cooking and re-heating of all meat, especially poultry
- ① Ensure that deep frozen food is thawed before cooking (especially important when using a microwave oven)
- ① Be aware of the risk of Salmonella infection associated with foods containing uncooked eggs such as mayonnaise and certain puddings
- ① Wash hands after handling raw meat or eggs, particularly before handling other foods
- ① Never re-use utensils with which raw eggs or meat have been prepared without first washing them with hot water and detergent
- ① Never allow juices from raw meat to come into contact with other foods (cooked food and uncooked food should not be stored together)
- ① Avoid serving raw eggs (or uncooked foods made from them) to vulnerable people such as the elderly and the sick (all eggs should be cooked until they are hard — both yoke and white).

**Allergens**

From December 13<sup>th</sup> 2014 new Regulations regarding food allergens are introduced and information regarding the 14 allergens identified below must be declared by businesses which provide food pre-packed, loose, or prepared in a restaurant or canteen etc.

**The allergens are:**

- ① Cereals containing gluten (wheat, spelt, barley, rye and oats.)
- ① Crustaceans such as prawns, crabs, lobster, every fish and langoustines etc.
- ① Eggs
- ① Fish
- ① Peanuts
- ① Soybeans
- ① Milk
- ① Nuts namely almonds, hazelnuts, walnuts, pecan, brazil, pistachio, cashew, macadamia or Queensland nut
- ① Celery
- ① Mustard
- ① Sesame
- ① Sulphur dioxide or sulphites (where added and is < 10 mg/kg in the finished product. Often found in dried fruit and wine)
- ① Lupin
- ① Molluscs such as clams, scallops, squid, mussels, oysters and snails

Whilst this may not be relevant within safeguarding young people, it is important that these allergens are part of the assessment of need process and incorporated into care plans as an identified risk. The care plan will then detail how any identified allergens risks will be mitigated and managed by the provider.

**Training Statement**

All staff involved in the provision of food to children should be appropriately trained and assessed to ensure that their catering skills and infection-control techniques are of an acceptable standard.

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## **FREEDOM OF INFORMATION POLICY**

### **Policy Statement**

The Freedom of Information Act 2000 provides access to information held by public authorities and is different to the Data Protection Act 1998 which is concerned with personal data held by all companies registered to hold such Data.

### **Public Authorities**

These include government departments, local authorities, unitary authorities, the NHS, state education sector, police forces etc. It does not however cover every organisation that receives public funding e.g., charities, or certain private sector organisations that perform public functions.

### **Definition of "Information"**

The Act covers any recorded information that is held by a Public Authority in England, Wales and Northern Ireland.

Recorded information includes:-

Printed documents

Computer files

Letters

Emails

Photographs

Sound or/and Video recordings.

The Act ensures information is available in two ways.

Public authorities are obliged to publish certain information about their activities, and

Members of the public are entitled to request information from public authorities.

### **Principles**

"Openness is fundamental to the political health of a modern state. The white paper marks a watershed in the relationship between the government and people of the United Kingdom. At last there is a government ready to trust the people with a legal right to information."

"Unnecessary secrecy in Government leads to arrogance in governance and defective decision making."

### **YOUR RIGHT TO KNOW 1997**

The main principle behind Freedom of Information is that, quite simply, people have a right to know about the activities of public authorities, unless there is a good reason for them not to. This is sometimes described as a presumption or assumption in favour of disclosure. This means that:-

Everybody has a right to access official information Disclosure should be the default-in other words information should be kept private only when there is a good reason and it is permitted by the Act.

An applicant (requestor) does not need to give a reason for wanting the information on the contrary, public authorities must justify the refusal.

They must treat all requests equally, except under some circumstances relating to vexatious requests and personal data. The information someone can obtain under the Act should not be affected by who they are. All requestors should be treated equally whether they are journalists, local residents, public authority employees, or foreign researchers and because they should treat all requestors equally, they should only disclose information under the Act if they would disclose it to anyone else who asked. In other words you should consider any information released under the Act as being released to the world at large.

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Schedule 1 of the Act contains a list of public bodies that are covered by the Act.  
Section 5 of the Act gives the Secretary of State the power to designate further bodies as public authorities.

With effect from 1<sup>st</sup> September 2013 public authorities now include companies wholly owned:-  
By the Crown  
By the wider public sector or  
By both the Crown and the wider public sector.

#### **Who can make a request?**

Anyone can make a freedom of information request you do not have to be a U.K citizen. They can be made by organisations e.g. newspaper, campaign group or company.  
Requestors should direct their request for information to the public authority they think they will hold the information.

When appropriate, this organisation will assist individuals to access freedom of information requests by signposting to sources of advice such as Citizens Advice Bureau etc.

## **GIFTS AND LEGACIES POLICY**

#### **Policy Statement**

This organisation believes that its children have a right to expect that the organisation will be run on an honest and sound financial basis with robust procedures for dealing with and protecting the financial interests of children.

#### **The Policy**

This policy is intended to set out the values, principles and policies underpinning this organisation's approach to the giving of gifts to organisation staff by children or their relatives. It also aims to set out the organisation's policy on legacies.

#### **Policy on Gifts and Legacies**

It is not uncommon for children who have developed, sometimes long and close, relationships to individual staff to offer gifts or gratuities, or to seek to include a member of staff in their will. Such activities can, however, lead to accusations of coercion, exploitation and fraud. It is vitally important to this organisation that its staff, at all times, uphold the highest standards, always acting in an honest manner and keeping in mind the best interests of children. Therefore, in this organisation

① Personal gifts should never be accepted by a member of staff if the value of the gift is estimated to be more than £10

① Organisation staff should never, under any circumstances, accept valuables belonging to a children or monetary gifts

① Any gift given to a member of staff must be declared as soon as is reasonably practicable and details recorded in the Gifts Record in the central office; this must include the date that the gift was given and its monetary value and it must be signed by the recipient

① Organisation staff should never become involved with the making of children's wills or with soliciting any form of bequest or legacy from a children; they should never agree to act as a witness or executor of a children's will or become involved in any way with any other legal document. If a

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children does need help with making a will, or requests help from organisation staff, then the children should be referred to an impartial or independent source of legal advice, such as the local citizens advice bureau or local law society which will hold lists of local solicitors

① Failure to declare a gift, acceptance of a gift in excess of £10, involvement in a will or attempts to solicit money or items through a children's will or legacy will be considered a disciplinary offence

① This policy is cross referenced and linked to the policy on Bribery. Please refer as appropriate.

### **Training Statement**

This policy is included as part of the Induction process for all staff and staff are aware of their limits in respect of this policy

## **GRIEVANCE PROCEDURE**

### **Policy**

This organisation is aware that, from time to time, staff may have an issue about their colleagues or management of the organisation. It is important that staff are aware that any grievance brought to this organisation be listened to and acted upon by the management. This document outlines the policy of this organisation in relation to staff grievances.

### **Principles**

A 'grievance' is any complaint made by a member of staff under specified procedures that alerts the management to, instigates the investigation of, and if necessary redresses the unreasonable actions of the organisation, a manager or another member of staff.

The Employment Rights Act 1996 imposes an obligation on employers to specify, in their written statements of terms and conditions of employment, the person or position to whom employees can apply for the redress of any grievance relating to their employment and how such applications should be made.

This organisation aims to ensure that its staff feel fully involved in the work of the organisation and form a cohesive team in the interests of providing high-quality services. We therefore wish to identify and deal with any grievances that a member of staff has with the work of colleagues or managers. We believe that this will foster communication between staff and managers; ensure that staff concerns are recognised and dealt with promptly; help managers to identify areas for improvement in the work of the organisation; and give early warning of potential sources of more serious conflict.

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Procedures relating to grievances, however, must be clearly distinguished from any action taken under the organisation's Disciplinary Policy and procedures, and an appeal against disciplinary decisions will not be treated as a grievance.

The primary purpose of this grievance procedure is to enable staff to point out any concerns that they may have about practices, policies or treatment from other individuals at work or from the Company, and to produce a speedy resolution where genuine problems exist. It is designed to help all employees to take the appropriate action, when they are experiencing difficulties, in an atmosphere of trust and collaboration.

Although it may not be possible to solve all problems to everyone's complete satisfaction, this policy forms an undertaking by the Company that it will deal objectively and constructively with all employee grievances, and that anyone who decides to use the procedure may do so with the confidence that their problem will be dealt with fairly.

This grievance procedure is not a substitute for good day-to-day communication in the Company where we encourage employees to discuss and resolve daily working issues in a supportive atmosphere. Many problems can be solved on an informal footing very satisfactorily if all employees are prepared to keep the channels of communication between themselves open and working well. This procedure is designed to deal with those issues that need to be approached on a more formal basis so that every route to a satisfactory solution can be explored and so that any decisions reached are binding and long lasting.

This grievance procedure is entirely non-contractual and does not form part of an employee's contract of employment.

#### **Procedure**

If you cannot settle your grievance informally, you should raise it formally. This procedure has been drawn up to establish the appropriate steps to be followed when pursuing and dealing with a formal grievance.

#### **Stage 1**

In the event of your having a formal grievance relating to your employment you should, in the first instance, put your grievance in writing and address it to your supervisor, making clear that you wish to raise a formal grievance under the terms of this procedure. Where your grievance is against your supervisor, your complaint should be addressed to the head of department. This grievance procedure will not be invoked unless you raise your grievance in accordance with these requirements.

Head of the department/supervisor will then invite you to attend a grievance meeting to discuss your grievance and you have the right to be accompanied at this meeting by a fellow employee of your choice or a trade union representative. Every effort will be made to convene the grievance meeting at a time which is convenient for you and your companion to attend. If this means that the meeting cannot be held within a reasonable period (usually within five working days of the original date set), we ask that you make arrangements with another companion who is available to attend. You must make every effort to attend the grievance meeting.

At the meeting, you will be permitted to explain your grievance and how you think it should be resolved.

Following the meeting, the Company will endeavour to respond to your grievance as soon as

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possible and, in any case, within seven working days of the grievance meeting. If it is not possible to respond within this time period, you will be given an explanation for the delay and be told when a response can be expected. You will be informed in writing of the Company's decision on the grievance and notified of your right to appeal against that decision if you are not satisfied with it.

### **Stage 2**

In the event that you feel your grievance has not been satisfactorily resolved, you may then appeal in writing to a Director of the Company within five working days of the grievance decision. You should also set out the grounds for your appeal.

On receipt of your appeal letter, a more senior manager shall make arrangements to hear your grievance at an appeal meeting and at this meeting you may again, if you wish, be accompanied by a fellow employee of your choice or a trade union representative.

You must make every effort to attend the grievance appeal meeting.

Following the meeting, the senior member of staff will endeavour to respond to your grievance as soon as possible and, in any case, within fourteen working days of the appeal hearing. If it is not possible to respond within this time period, you will be given an explanation for the delay and be told when a response can be expected. You will be informed in writing of the Company's decision on your grievance appeal.

This is the final stage of the grievance procedure and the Company's decision shall be final.

### **Grievance Hearings**

If the staff member is still not satisfied after their grievance has been considered informally by two tiers of management, the matter should be referred to the director specifically designated to deal with personnel issues. This director should then arrange as quickly as possible for a formal grievance hearing at which all of the relevant facts relating to the issue can be heard and considered. The person conducting the hearing should be a manager who has not been involved in the earlier investigations.

At the hearing the staff member should be given the opportunity to present their grievance and their reasons for continuing dissatisfaction. They may produce evidence and witnesses. Any staff or managers who are the subject of the grievance should then be given the opportunity to state their point of view, producing evidence and witnesses as appropriate. Witnesses may be cross-examined on what they say and questioned by the manager conducting the hearing. After the matter has been thoroughly explained the manager conducting the hearing should consider and announce a decision.

### **Appeals**

Any appeals relating to the grievance procedure will be held and conducted according to the relevant guidance issued by the Advisory, Conciliation and Arbitration Service (ACAS). ACAS produce guidance that is updated regularly and appropriate for employees and employers.

### **Remedies**

If at any stage, informal or formal, of the handling of a grievance the staff member's complaints are found to have substance then the relevant manager should consider what action should be taken to deal with the offending issue. This may take the form of a change of procedure, an apology from another staff member, or, in extreme cases, the initiation of disciplinary action against the staff

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member who caused offence. If no action is to be taken the reasons should be explained as fully as possible to the person who initiated the grievance.

#### **Representation**

The Employment Relations Act 1999 gives all employees the right to be accompanied by a fellow employee or trade union representative during any stage of a grievance process. The organisation undertakes to ensure that any employee assisting another employee under these circumstances will not be dismissed or victimised.

#### **Anonymity**

If the subject of the grievance is discrimination or harassment and the staff member making the complaints wishes to remain discreet, managers should make every effort to conduct their investigations in a way that protects the complainant.

#### **Training Statement**

All staff members will be given a copy of this policy and encouraged to read it during induction.

## **HEALTH AND SAFETY POLICY**

#### **Introduction**

The Company is committed to ensuring the health, safety and welfare of its employees and it will, so far as is reasonably practicable, establish procedures and systems necessary to implement this commitment and to comply with its statutory obligations on health and safety. It is the responsibility of each employee to familiarise themselves and comply with the Company's procedures and systems on health and safety.

#### **Legal Requirements**

The legal requirement to have a health and safety policy is a direct obligation arising from the Health and Safety at Work etc. Act 1974 (HSWA 1974). It requires that every employer with five or more employees must prepare and revise, as often as necessary, a written health and safety policy for the workplace, and must explain the arrangements for putting that policy into force. This policy and any revision must be brought to the notice of employees. Failure to have a written health and safety policy can result in the issue of an improvement notice ordering the matter to be attended to within a fixed period. Non-compliance can result in prosecution and a fine.

#### **Health and Safety at Work Policy**

This organisation is committed to ensuring the health, safety and welfare of its staff, so far as is reasonably practicable, and of all other persons who may be affected by our activities including visitors, contractors, Children/young people and their families/carers. The organisation will take the following steps to ensure that its statutory duties are met at all times:

① Each employee should be given such information, instruction and training as is necessary to enable the safe performance of work activities.

① All processes and systems of work should be designed to take account of health and safety and will be properly supervised at all times.

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- ① Adequate facilities and arrangements will be maintained to enable employees to raise issues of health and safety.
- ① Competent persons should be appointed to assist in meeting statutory duties including, where appropriate, specialists from outside the organisation.
- ① This document will be regularly monitored to ensure that its objectives are achieved. It will be reviewed and, if necessary, revised in the light of legislative or organisational changes.

### **Policy and scope**

While the Company will take all reasonable steps to ensure the health and safety of its employees, health and safety at work is also the responsibility of the employees themselves. It is the duty of each employee to take reasonable care of their own and other people's health, safety and welfare and to report any situation which may pose a serious or imminent threat to the well-being of themselves or of any other person. If an employee is unsure how to perform a certain task or feels it would be dangerous to perform a specific job or use specific equipment, then it is the employee's duty to report this as soon as possible to their supervisor, their health and safety representative or the safety officer. Alternatively, an employee may, if they prefer, invoke the Company's formal grievance.

Disciplinary action under the Company's disciplinary procedure may be taken against any employee who violates health and safety rules and procedures or who fails to perform their duties under health and safety legislation. Depending on the seriousness of the offence, it may amount to potential gross misconduct rendering the employee liable to summary dismissal.

### **Duties on the organisation**

The organisation recognises its responsibility under the HSWA 1974 and the Management of Health and Safety at Work Regulations 1999 (MHSWR) to ensure that all reasonable precautions are taken to provide and maintain working conditions which are safe, healthy and compliant with all statutory requirements and codes of practice. Employees, Children/young people, contractors and visitors are expected to abide by safety rules, and to have regard to the safety of others within the organisation.

This organisation's policy is, so far as is reasonably practicable, to apply the following:

- ① Make a suitable and sufficient risk assessment of all work activities
- ① Negotiate appropriate risk management measures to reduce any identified risks or hazards to an acceptable level
- ① The provision and maintenance of equipment and systems of work that are safe.
- ① Communicate agreed risk management measures to all necessary persons and staff involved and to ensure regular monitoring of risk levels
- ① Provide and maintain equipment such that it is safe and appropriate to use
- ① Provide any relevant and appropriate protective equipment or clothing required by staff to perform their role safely
- ① Arrange for the safe and healthy use, handling, storage and transport of articles and substances
- ① Provide the information, instruction, training and supervision required to ensure the health and safety, at work, of employees and others
- ① Control and maintain the organisation's offices in a safe condition, with appropriate risk assessments and management as above
- ① Arrangements for ensuring safety to health in connection with the use, handling, storage and transport of articles and substances.

- ① Provide a safe means of access to and exit from the place of work
- ① Maintain a working environment that is safe, healthy and equipped with adequate facilities and arrangements for welfare at work
- ① Conduct, record and implement the findings from regular risk assessments performed in accordance with Regulation 3 of the MHSWR
- ① In the event of any accident or incident (such as a near miss) involving injury to anybody, to make a full investigation and to comply with statutory requirements relating to the reporting of such incidents

Maintaining the workplace in a safe condition and providing adequate facilities and arrangements for welfare at work.

- ① The provision of such information, instructions, training and supervision as is necessary to ensure the health and safety at work of its employees and other persons.
- The Company also recognises its duty to protect the health and safety of all visitors to the Company, including contractors and temporary workers, as well as any members of the public who might be affected by the Company's work operations.

#### **Organisation**

The management of the Company has overall responsibility for health and safety in the Company. **Mr. Saad Khan** is the health and safety officer and has responsibility for overseeing, implementing and monitoring health and safety procedures in the Company and for reporting back to the management on health and safety matters. The safety officer also conducts regular inspections of the workplace, maintains safety records and investigates and reports on accidents at work.

#### **Employees at special risk**

The Company recognises that some workers may from time to time be at increased risk of injury or ill-health resulting from work activities. The Company therefore requires that all employees advise their supervisor if they become aware of any change in their personal circumstances which could result in their being at increased risk. This could include medical conditions, permanent or temporary disability, taking medication and pregnancy.

#### **First aid**

First aid boxes have been provided to all the departments. All employees will be shown the location of the nearest first aid box and will be given the names of the designated first aid personnel. This information is also displayed outside office rooms and on each floor.

#### **Fire**

Fire is a significant risk within the workplace. All employees have a duty to conduct their job in such a way as to minimise the risk of fire and they are under a duty to report immediately any fire, smoke or potential fire hazards, such as faulty electric cable or loose connections. Employees should never attempt to repair or interfere with electrical equipment or wiring themselves. The safety officer is responsible for the maintenance and testing of fire alarms and fire fighting, prevention and detection equipment.

Smoke detectors and manually operated fire alarms are located at strategic points throughout the workplace. If a smoke detector sounds or fire is discovered, it is the responsibility of any employee present to activate the alarm and evacuate the building. Fire extinguishers are also located at strategic points throughout the workplace. Employees are expected to tackle a fire themselves **only** if it would pose no threat to their personal safety to do so. If the situation is dangerous or

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potentially dangerous, the employee should activate the fire alarm and evacuate the building immediately.

Fire doors designed to slow the spread of fire and smoke throughout the workplace have been installed at strategic points. Fire doors are designed to close automatically after opening and must never be blocked or wedged open. Fire exits are also located at strategic points throughout the workplace. Fire exit doors and corridors must never be locked, blocked or used as storage space. All employees must ensure they are familiar with their evacuation route and designated assembly point in case of fire. Practice fire drills will be conducted on a regular basis to ensure employees familiarity with emergency evacuation procedures. Lifts should not be used in the case of an emergency evacuation.

#### **Company safety rules**

- all employees should be aware of and adhere to the Company's rules and procedures on health and safety
- all employees must immediately report any unsafe working practices or conditions to their supervisor, their health and safety representative or to the safety officer
- horseplay, practical joking, running in the workplace, misuse of equipment or any other acts which might jeopardise the health and safety of any other person are forbidden
- any person whose levels of alertness are reduced due to illness or fatigue will not be allowed to work if this might jeopardise the health and safety of any person
- employees must not adjust, move or otherwise tamper with any electrical equipment or machinery in a manner not within the scope of their job duties
- all waste materials must be disposed of carefully in the receptacles provided and in such a way that they do not constitute a hazard to other workers
- no employee should undertake a job which appears to be unsafe
- all injuries must be reported to the employee's supervisor or to the safety officer
- all materials must be properly and safely used and when not in use properly and safely secured
- work should be well-planned to avoid injuries in the handling of heavy materials and while using equipment
- employees should take care to ensure that all protective guards and other safety devices are properly fitted and in good working order and must immediately report any defects to their supervisor or to the safety officer
- Suitable clothing and footwear must be worn at all times. Personal protective equipment must be worn where appropriate
- work stations and work sites must be kept clean and tidy and any spillage must be cleaned up immediately
- Employees should use handrails when going up and down stairs, should never read while walking, must close filing cabinet drawers when not in use and must keep all floor areas free of obstruction.

#### **Access**

- walkways and passageways must be kept clear and free from obstructions at all times
- if a walkway or passageway becomes wet it should be clearly marked with warning signs and any liquid spilt on the floor should be wiped up immediately
- trailing cables should not be left in any passageway
- where objects are stored in or around a passageway, care must be taken to ensure that no long or sharp edges jut out into the passageway

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### Tools and equipment

① Company machinery, tools and equipment are only to be used by qualified and authorised personnel

① It is the responsibility of all employees to ensure that any tools or equipment they use are in a good and safe condition. Any tools or equipment which are defective must be reported to a supervisor or to the safety officer

① all tools must be properly and safely stored when not in use

① Employees are prohibited from using any tool or piece of equipment for any purpose other than its intended purpose.

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### Manual handling

- Lifting and moving of objects should always be done by mechanical devices rather than manual handling wherever reasonably practicable. The equipment used should be appropriate for the task at hand
- the load to be lifted or moved must be inspected for sharp edges and wet patches
- when lifting or moving a load with sharp or splintered edges, gloves must be worn
- the route over which the load is to be lifted should be inspected to ensure it is free of obstructions
- Employees should not attempt to lift or move a load which is too heavy to manage comfortably. Employees should ask for assistance if there is any danger of strain
- When lifting an object off the ground, employees should assume a squatting position, keeping the back straight. The load should be lifted by straightening the knees, not the back
- Employees should not attempt to obtain items from shelves which are beyond their reach. A ladder or stepping stool should be used. Employees should not use chairs or any makeshift device for climbing and should never climb up the shelves themselves.

### Duties on employees

The successful implementation of this policy requires total commitment from all employees. Each individual has a legal obligation to take reasonable care for their own health and safety, and for the safety of other people who may be affected by either their acts or omissions.

It is the policy of this organisation that, under s.7 of the HSWA 1974, it is the duty of every employee at work:

① To take reasonable care of their own health and safety and those of any other person who may be affected by their acts or omissions at work

① To co-operate with their employer to enable any duty or requirement to be complied with that is either imposed on their employer by or under any relevant statutory provisions.

In addition, no person employed by the organisation shall intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety and welfare in pursuance of any statutory provisions. Failure to abide by this policy will be considered a disciplinary offence.

### Training Statement

All new staff should be encouraged to read the policy on health and safety as part of their induction process. In addition, all staff will be appropriately trained to perform their duties safely and competently, and those staff who need to use specialist equipment will be fully trained and supervised while they are developing their competency.

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## **HOLIDAYS POLICY**

Your paid annual leave entitlement is set out in your Statement of Terms and Conditions of Employment/Contract of Employment.

The Company's holiday year runs from 1 September to 31 August each year. You must use all of your holiday entitlement by the last day of each holiday year and, unless there are exceptional circumstances and unless approved in writing in advance the Director/Head Teacher, you may not carry your holiday entitlement forward into the next holiday year. Holiday entitlement not used by the correct date will usually be lost and under no circumstances will payment in lieu be made for holiday entitlement that is lost through not being exercised by the correct date.

Your head teacher/director must approve all requests for annual leave in writing in advance. You must not book holidays until your request has been formally authorised in writing. You should endeavour to give as much notice as possible of proposed annual leave dates. In any event, such notice must be at least twice the number of days' leave as that you wish to take as annual leave. The Company will try to co-operate with your holiday plans where possible, but this is always subject to the requirements of the Company's business and to adequate staffing and management levels being maintained at all times. The head and deputy head/supervisor of a particular department or team cannot be absent on annual leave at the same time unless otherwise agreed in advance by a Director of the Company.

Where your holiday plans include going away with another employee of the Company and therefore you will both be requesting to take annual leave at the same time, you should specify in your request the name of that other employee so that, in dealing with both requests for annual leave, the Company can ensure adequate staffing levels will still be maintained at all times.

When dealing with competing requests for annual leave, the Company reserves the right to introduce or apply a first come, first served basis as a fair criterion for selection. This is more likely to be the case during periods of high demand, such as during the summer or Christmas holiday period or to coincide with a major sporting event.

In your first and last year of employment, your holiday entitlement will be that proportion of your annual holiday entitlement equivalent to the proportion of the holiday year in question during which you have been employed. This will be calculated to the nearest half day and assuming that holiday entitlement accrues at an even rate from day to day. During your first year of service, unless otherwise agreed in writing by your supervisor, you will not normally be permitted to take more annual leave than you have actually accrued at the time the holiday is taken. Entitlement during your first year of service is calculated monthly in advance at the rate of one-twelfth of the full year's entitlement.

### **Sickness or injury**

Should you be incapacitated for work due to sickness or injury during any period of pre-booked annual leave (whether in whole or in part), you must immediately notify the Company in accordance with its sickness absence reporting procedure set out in the sickness absence policy. The Company will then reimburse the period of annual leave entitlement lost due to your incapacity and instead pay you Statutory Sick Pay for your period of sickness absence, provided you meet the

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qualifying conditions for SSP, you fully comply with your obligations relating to sickness absence reporting and your absence is properly certified. You must therefore deliver to the Company a relevant self-certification form or medical or doctor's certificate (as appropriate) covering the entire period of your incapacity for these provisions to apply.

Only statutory annual leave entitlement provided for in the **Working Time Regulations 1998** will accrue during a period of long-term sickness absence. Any additional contractual annual leave provided for in your Statement of Terms and Conditions of Employment/Contract of Employment that is over and above the statutory minimum annual leave entitlement will not accrue during a period of long-term sickness absence, except at the absolute discretion of the Company. If you are absent due to long-term incapacity, you are encouraged to apply to take your accrued holiday entitlement before the end of the holiday year.

However, in exceptional cases of long-term incapacity, you may be permitted to carry forward some or all of your accrued holiday entitlement into the next holiday year if either you are still off sick at the end of the holiday year or there is insufficient time remaining on your return to work in the holiday year to take your full accrued entitlement. The Company may also, at its absolute discretion, request you to take your accrued annual holiday entitlement during a period of long-term sickness absence before the end of the holiday year and the Company will not be obliged to give you any minimum period of notice to request you to take your annual leave in this case.

However, if you do not wish to take annual leave during your sickness absence, you may notify the Company in writing that you decline this request, provided that you do so before the period of annual leave commences. At the end of the period of annual leave if you do take it, you will revert back to long-term sickness absence unless you are medically fit to return to work.

#### **Termination**

During your notice period (whether notice of termination of employment is given by the Company or by you), the Company may require you to take any outstanding accrued annual leave that you may have and the Company will not be obliged to give you any minimum notice to take such annual leave during your notice period.

On the termination of your employment, you are entitled to be paid in lieu for any accrued annual leave for that holiday year that has not been taken by the date of termination. Unless required by law, on the termination of your employment, you have no right to be paid for holiday accrued but not taken in previous holiday years.

If, on the date of termination of your employment, you have taken more annual leave than you have accrued in that holiday year, you will be required to reimburse the Company in respect of such unearned annual leave. The Company shall be entitled to deduct the value of the unearned annual leave from any final payment of salary to be made to you. Holiday pay will be at a rate derived from annual salary accruing at 12.07% of actual hours work up to the maximum 4 weeks/28 days. No payment in lieu of accrued contractual annual leave will be made to you in the event of the termination of your employment for gross misconduct or in the event that you give inadequate notice to terminate your employment or you leave before your contractual notice period has expired. For these purposes, contractual annual leave means any leave entitlement provided for in your Statement of Terms and Conditions of Employment/Contract of Employment that is over and above the statutory annual leave entitlement provided for in the **Working Time Regulations 1998**.

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## **ID/BIOMETRIC FINGERPRINT POLICY**

### **Purpose and scope**

This Policy applies to all permanent and temporary employees of the Company (including any of its intermediaries, subsidiaries or associated companies). It also applies to any individual or corporate entity associated with the Company or who performs functions in relation to, or for and on behalf of, the Company, including, but not limited to, directors, agency workers, casual workers, contractors, consultants, seconded staff, agents, suppliers and sponsors (“associated persons”) and students. All employees and associated persons are expected to adhere to the principles set out in this Policy.

The Company will provide all staff, students and associated persons with an ID card; this card must be carried at all times whilst on the premises.

Visitors and contractors will be issued a temporary card, either from reception/accounts. Visitors are expected to sign in and out in the Company’s sign in book. This can be located at the entrance of the building.

The Company provides all new users with an ID card free of charge.

The purpose of this policy is to:

- assist in the prevention or detection of crime or equivalent malpractice
- assist in the identification of authorised persons; staff, students and associated persons
- monitor the security of the Company’s business premises
- Promote productivity and efficiency.

### **Failure to present your ID card or lending your ID card**

ID card’s must be presented and/or surrendered upon demand by a senior member of management; failure to do so, or lending this card to anyone, is considered misuse and may subject the holder to disciplinary action, under the Disciplinary procedure.

### **Lost or stolen cards**

In the event that this card is lost or stolen there will be a charge for its replacement. There is currently a charge of £2 for a replacing lost ID Cards, payable at time of issue. You can pay by cash or cheque only. Please note this payment is non-refundable.

ID Cards will be deactivated once your relationship with the Company has ended.

### **Termination/suspension**

This card is void upon termination or suspension of employment and should be handed over to a senior member of management.

### **Biometric Fingerprint scanning for attendance, safety & security purposes**

The Company has introduced a compulsory biometric fingerprint scanning as an efficient, productive and safe way to monitor attendance, safety and security. Employees/contractors are expected to ‘touch in and out’ at the start and end of each working day with their finger in order to record attendance. Failure to ‘touch in and touch out’ may led to inaccurate attendance records being processed and may affect your pay. Each employee/contractor would need to register and

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validate their details with the ICT department. In 'special cases' the Company may have to manually amend records. These may include circumstances where the system is momentarily down or where hours do not match.

The Company believes that this process would allow for more accurate attendance records and a more efficient and productive working environment. It also ensures, in cases of emergencies or fire that an accurate roll-call is possible.

In accordance with the Data Protection Act 1998 the Company will:

- ① record all information on activity logs and the logs will be actively monitored
- ① reserve the right to use this data stored to investigate any security issues
- ① reserve the right to use this data in any Disciplinary investigation
- ① keep data secure
- ① make available to government investigators if requested and correct paperwork is provided

#### **How it works**

A subset of the unique features of the fingerprint are extracted from a scanned image and converted into a biometric "template". This template, a binary number, is checked against the template generated each time a person places his/her finger on the scanner. Full fingerprint images are not stored and it is extremely unlikely that a usable fingerprint image could be generated ("reverse engineered") from the template.

The binary number or 'code' is sent to servers that produce a database for attendance and security purposes. In any case no one will have access to fingerprints under any means.

This policy will be reviewed annually and ratified by the Company.

### **INTELLECTUAL PROPERTY CLAUSE**

You may make or create intellectual property rights in the course of your duties under your Contract of Employment/Statement of Terms and Conditions of Employment and you have a special obligation to further the interests of the Company's business in this respect.

You must promptly disclose to the Company in writing all intellectual property rights originated, conceived, created, written or made by you alone or jointly with others which may be of benefit to the Company or which relate directly or indirectly to the business of the Company (except only those intellectual property rights originated, conceived, created, written or made by you wholly outside your normal working hours and which are completely unconnected with your normal job duties or with job duties specifically assigned to you by the Company).

To the extent permitted by law, you accept that such intellectual property rights as are required to be disclosed shall be owned absolutely by the Company and will so vest in the Company and the Company shall be entitled to make such additions, deletions, alterations or adaptations to or from any such intellectual property rights as we shall in our absolute discretion determine. Otherwise, you agree to hold in trust for the Company any such intellectual property rights.

You also agree, at the Company's request and expense, to enter into all such documents and do all

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such things necessary or as the Company may require to ensure, whether by assignment or otherwise, the Company's ownership of the intellectual property rights and/or to obtain patent or similar protection for the intellectual property rights in such parts of the world as the Company may specify and you agree to waive all moral rights to them. You will not seek to register your own ownership of any such rights and neither will you be entitled to receive any additional payment in respect of any intellectual property rights.

These provisions on intellectual property rights remain in force notwithstanding the termination of your employment.

**Note.** "Intellectual property rights" means patents, copyright, database rights, registered and unregistered design rights, trademarks, inventions, discoveries, plant variety rights and any other intellectual property or similar proprietary rights throughout the world, applications for registration of any of the same, confidential information and know how, whether registered or unregistered.

## **MATERNITY LEAVE POLICY**

### **The Policy**

It is the policy of this organisation to provide maternity benefits which comply fully with the law on maternity rights. The policy applies to all female members of staff and aims to inform them of their entitlement to contractual and statutory maternity rights, and to ensure that those rights are understood. The policy was written to comply with all relevant employment law regarding maternity, including the Working Time Regulations.

### **Maternity Leave Entitlement**

In this organisation the following policy applies.

① Maternity leave for all employees is for a period of 52 weeks regardless of how long they have worked for the organisation.

① An employee must, wherever possible, give notice in writing of their intended date of starting maternity leave, at least 15 weeks before the expected week of confinement. The member of staff must inform the organisation:

- That she is pregnant
- The week her baby is expected to be born
- When she wants her maternity leave to start.

① Employees must provide medical evidence of the EWC in the form of a maternity certificate (MATB1) obtained from their GP or midwife.

① If an employee is absent with a pregnancy related illness during the six weeks prior to the expected week of confinement, maternity leave will start automatically from the date of absence.

① If the baby is born prematurely, i.e. before maternity leave has started, maternity leave will commence on the day the baby was born.

① An employee may not return to work within two weeks of giving birth. This is a requirement of health and safety legislation. Employees returning to work at the end of their maternity leave need give no prior notice of their return.

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① An employee who intends to return to work at the end of her full maternity leave entitlement is not required to give any further notification to the organisation. An employee wishing to return early from maternity leave should give eight weeks' advance notice in writing.

① During the maternity leave period an employee can agree with her employer to work for up to 10 "keeping in touch" days without losing her right to statutory maternity pay or bringing the maternity leave period to an end. Employers are not, however, obliged to offer such days, nor is the employee obliged to agree to accept such work.

#### **Payments during Maternity Leave**

In this organisation:

① Maternity pay (SMP) for employees is paid for 39 weeks as follows:

- Six weeks at 90% of employee's average salary, based on last three months' pay (the Earnings Related Rate)

- 33 weeks paid at the set Government rate (the Lower Rate SMP)

① A MatB1 form signed by doctor or midwife giving the expected week of confinement must be given to the employer before any SMP can be paid.

#### **Risk Assessments**

In this organisation risk assessments of working environments will be routinely carried out in order to be able to protect the safety of mother and child for any member of staff who may become pregnant. Should her working environment or her duties pose a threat to her health and safety, her duties will be modified or alternative work of a suitable nature will be found for her. Should this not be possible she will be suspended from work on full pay on medical grounds.

#### **Antenatal Appointments**

In this organisation a member of staff will be entitled to time off with pay in order to attend antenatal appointments, which may include classes. The relevant manager may require her to produce an appointments card from her clinic.

#### **Benefits during Maternity Leave**

In this organisation during the maternity leave period (paid and unpaid) the contract of employment continues in force. All terms and conditions of employment continue with the exception of stipend or salary. Continuity of service is maintained, and any standard incremental progression which may take place during the maternity leave period (paid or unpaid) will be implemented. Employees on ordinary or additional maternity leave are entitled to all non-pay benefits provided as if they are still working, e.g. accrued holiday entitlement, private health care, Christmas bonus, etc.

The Company implements the maternity rights set out in legislation. For more information please see the following:

① <https://www.gov.uk/maternity-pay-leave/overview>

① [http://www.adviceguide.org.uk/england/work\\_e/work\\_time\\_off\\_work\\_e/maternity\\_leave.htm](http://www.adviceguide.org.uk/england/work_e/work_time_off_work_e/maternity_leave.htm)

① <http://www.hmrc.gov.uk/payerti/employee/statutory-pay/smp-overview.htm>



## **MISSING/ABSENT AND LOST PERSONS POLICY AND PROCEDURE**

### **Policy Statement**

At Best Tutors we take safety and security of children and young people very seriously, all staff are extremely aware of the potential for children to go missing and ensure that exits and entrances are kept secure and that magnetic releases are in working order. This very rarely happens but complacency is a hazard we must avoid at all costs. The welfare of the children in our care is paramount. If children go missing and EVERY member of staff has equal responsibility in ensuring the safety of the children and knowing where they are.

### **Preventing Missing Child/ young Persons Incidents**

Staff from this organisation should always remain vigilant, and be aware of exactly where children are at any given time. It is our policy that all staff undertake periodic head counts, If for any reason a member of staff cannot account for a child's whereabouts during a session at the setting, the following procedure will be activated:

### **Missing Child/ Young Persons Procedure**

Immediately upon suspicion that a child may be missing, staff should:

- ① The Director in charge of Best Tutors team must be informed that the child is missing.
- ① Initiate an immediate search of the building and its immediate surrounds
- ① Staff must remain calm and not to create an atmosphere of panic and to ensure that the other children remain safe and adequately supervised.
- ① All staff will be extra vigilant to any potentially suspicious behaviour or persons in and around the Best Tutors grounds.
- ① If after 15 minutes of thorough searching the child is still missing, the Director or person in charge will inform the police and then the child's parent/carer.
- ① Staff should pass on all relevant information, such as the full details of the incident, including when and where the child was last seen, by whom, and what the child was wearing and any special risk factors involved.
- ① While waiting for the police and the parent/carer to arrive, searches for the child must continue. During this period, other staff members will maintain as normal a routine as is possible for the rest of the children attending the setting.
- ① The Director or person in charge will be responsible for meeting the police and the missing child's parent/carer.
- ① The Director or person in charge will co-ordinate any actions instructed by the police, and do all they can to comfort and reassure the parents/carers.
- ① Co-operate fully with any police search.

Once the child has been found, it is essential that all the parties who were advised of the emergency are contacted again and informed that the search has been concluded, including the parents/carers and the police.

### **Procedure to Follow After a Missing Persons Incident**

Upon conclusion of a 'missing persons' incident the organisation should mount a full enquiry and investigate the incident thoroughly. Investigations should be led by the organisation's director who will also be responsible for implementing any improvements that are indicated and, if a breach of the harm threshold has occurred due process must be followed.

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### **Repeated Absences by a Child**

If it is determined that a child has repeated absences from the setting without the prior acceptable notification by the parent Best Tutors has a responsibility to ensure that the welfare of the child is upheld and has a responsibility to liaise with other agencies, for example, education, social work and health to ensure that the child is receiving the support that the family requires. In some circumstances there may be child protection concerns that arise and in these circumstances the child protection policy and procedure will be followed.

Where a child is repeatedly absent from the setting then the supervisor has a responsibility to ensure that the child is safe and contact the child's parents/carers and establishing the child's welfare. In the event that there is a concern over the child the child protection policy and procedure will be followed.

### **Training Statement**

The director is responsible for organising and co-ordination training. All staff should be trained in the Missing Persons procedure and be aware of their role in the event of a search.

## **MOBILE PHONE USE POLICY**

### **Policy Statement**

This organisation recognises its responsibility to ensure that all reasonable precautions are taken to provide and maintain working conditions which are safe, healthy and compliant with all statutory requirements and codes of practice.

### **The Policy**

The organisation maintains the following policies regarding mobile phone use.

- ① The organisation will provide mobile telephones for business use wherever this is deemed appropriate and approved by the manager of the organisation.
- ① All staff using company phone should sign for it and be instructed in its use prior to taking it out. All phones are pre-set with the organisation's number in case of emergencies.
- ① It is organisational policy that business calls from landlines to mobile phones be kept to a minimum, as calls to mobile phones cost more than four times as much as calls to a landline.

We believe staff should be completely attentive during their hours of work to ensure all children at Best Tutors receive good quality care and education. Mobile phones must not be used during working hours.

- Mobiles must be kept on silent or switched off during working hours and locked with staff belongings in the staff room
- Mobiles may only be used on a designated break and only in a child free areas.
- Ideally a company mobile should be used on outings however in the event that this is not available staff may use mobiles on outings for Best Tutors/emergency use only
- Mobiles must never be used to take photographs of any of the children or any area of Best Tutors premises or the work or any member of staff at work

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- All members of staff are have the responsibility to be vigilant and to report any concerns to the Director. Concerns will be taken seriously, logged and investigated appropriately (see allegations against a member of staff policy). The Director or his representative in his absence reserves the right to check the image contents of a member of staffs mobile phone should there be any cause for concern over the appropriate use of it.
- Should inappropriate material be found then our Local Authority Designated Officer (LADO) will be contacted immediately.
- We will follow the guidance of the LADO as to the appropriate measures for the staff member's dismissal.

#### **Photography, video and other creative arts**

Some activities may involve recording images for publicity or to award achievement. The Data Protection Act 1998 affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the Act that consent is obtained from the parent of a child for any images made such as those used for Best Tutors web sites, productions or other purposes.

Staff need to be aware of the potential for such images to be misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. Particular regard needs to be given when they involve young or vulnerable students who may be unable to question why or how the activities are taking place. Students who have been previously abused in this way may feel threatened by the use of photography, filming etc in the teaching environment.

Staff should remain sensitive to any student who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.

Using images of students for publicity purposes will require the age-appropriate consent of the individual concerned and their legal guardians. Images must not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the Best Tutors have access.

When using a photograph the following guidance must be followed:

- If the photograph is used, avoid naming the students
- If the students is named, avoid using the photograph
- Images must be securely stored and used only by those authorised to do so
- be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded
- ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose
- ensure that all images are available for scrutiny in order to screen for acceptability
- be able to justify the images made
- do not make images in one to one situations
- do not take, display or distribute images of students unless there is parental consent to do so

At all times the camera must be placed in a prominent place where it can be seen. Photographs can only be taken using company camera of children for the purpose of recording a child or group of children participating in activities or celebrating their achievements

Photographs taken must be downloaded and stored appropriately (password protected)

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computer/server) within the allocated time frame of (2 weeks) to Safeguard the children. Images taken must be deemed suitable without putting the Child/children in any compromising positions that could cause embarrassment or distress.

Failure to adhere to the contents of this policy will lead to disciplinary procedures being followed.

This forms part of our safeguarding policy

### **PATERNITY LEAVE POLICY**

This policy has been developed to provide you with guidance as to your entitlements and the procedure to follow if requesting paternity leave.

No employee will be treated less favourably, suffer detriment or be dismissed because they request or take paternity leave. However, the misuse of paternity leave such as the use of leave for reasons other than to care for the child or support the mother, or failure to follow the correct procedure may result in disciplinary action being taken against you.

#### **Procedure**

- ① Paternity leave is the right to take paid leave to care for a child or support the mother.
- ① In order to qualify for paternity leave in birth situations you must:
  - Be the child's biological father, and have, or expect to have, the main responsibility for the child's upbringing
  - Be the spouse or partner of the mother, and have, or expect to have, the main responsibility for the child's upbringing.
- ① In order to qualify for paternity leave in adoptive situations you must:
  - Be married to, or be the partner of, the adopter, and have, or expect to have, the main responsibility for the child's upbringing.
- ① In both birth and adoptive situations you must:
  - Have formally informed your manager of your intention to take statutory paternity leave
  - Have provided documentary evidence supporting your right to take statutory paternity leave, if requested by your manager.
- ① Paternity leave is for a maximum of two weeks. Leave may be taken in a block of one or two consecutive weeks. Leave must be taken within 56 days of the birth of the child or, in the case of adoption, within eight weeks of the placement.
- ① Additional paternity leave will be available only if your partner has unused maternity or adoption leave and it can now be shared between both parents. From 2015 new plans will allow couples to share all their maternity or adoption leave 8 weeks before it starts.
- ① In order to take statutory paternity leave after the birth of a child, you must inform your manager of your intention to take leave by the end of the 15th week before the mother's expected week of childbirth (EWC). You must specify:
  - The week in which the baby is expected to be born
  - Whether you intend to take one or two weeks' leave
  - The date on which you intend to start your leave.
- ① In order to take statutory paternity leave after the adoption of a child, you must notify your manager of your intention to take leave no later than seven days after the date on which you

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received notification from the adoption company of the match with the child. If the child was adopted from abroad you must let your employer know the date on which you received notification of the placement and the date on which the child is expected to enter the UK.

⌚ Statutory paternity leave may not be taken before the birth or adoption of a child.

⌚ If you fall ill before starting your period of paternity leave, you should postpone it. The 56-day period within which you should take your leave is not extended under these circumstances.

⌚ You may be entitled to Statutory Paternity Pay (SPP); your manager will let you know whether you are. If you do not qualify for SPP you may still be able to get Income Support while on paternity leave; your local Social Security Office can advise on this.

⌚ You are entitled to return to the same job as before, on the same terms and conditions of employment, unless a redundancy situation arises. It is presumed that you will return to work after a period of paternity leave.

⌚ If you cannot return to work at the end of your paternity leave because of illness, you should follow the normal procedures for sickness absence.

⌚ If you do not wish to return to work you are required to give your manager notice in accordance with your contractual notice period.

⌚ On some occasions it may be necessary for your manager to defer your paternity leave. This may occur if, in discussion with your manager, there is a strong organisational reason for deferral.

The reasons may include:

- A significant number of employees applying for paternity leave at the same time
- Your role is such that your absence at a particular time may unduly harm the organisation.

### **Shared Parental Leave**

This was introduced in December 2014 and enables eligible mothers, fathers, partners and adopters to choose how to share time off work after the birth or adoption of a child. It is designed to offer a more flexible way of sharing the care in the first year following birth or adoption. Parents are able to share a pot of leave in a variety of ways.

Relevant guidance will be given to all employees who wish to access the scheme. We will use the ACAS information service and its guidance "A Good Practice Guide for Employers and Employees" To keep up to date with any changes this organisation will refer to the following guidance and website. Shared Parental Leave: A good practice guide for employers and employees.

## **PROFESSIONAL BOUNDARIES**

### **Policy Statement**

This organisation believes that staff need to observe professional boundaries in their relationships with children/young people and their relatives, friends, visitors and representatives, and that behaviour outside those boundaries should be regarded as abusive and a reason for disciplinary action. We recognise that it is often difficult to draw precise lines defining appropriate behaviour, so we encourage staff to be transparent in their dealings with Children/young people and others, and to discuss with managers any ambiguities which arise. The starting point is that the needs of Children/young people should be at the centre of our care practice; any relationship that might jeopardise that objective should be questioned.

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### **The Policy**

The aim of this policy is to lay down the principles and values underlying our approach to professional boundaries in relationships with Children/young people and their family/carers, visitors and representatives.

### **The Parties Involved:**

#### **Staff**

This policy applies to all staff of the organisation, including temporary staff and volunteers, not merely those who have regular contact with a Children/young people in a care/teaching/learning capacity.

#### **Children/young people**

This includes current, past **Children, young people and their families** and anyone whose contact with the organisation is concerned with either their being currently, or having previously been, a user or potential user of services.

### **Professional Boundaries**

Professional relationships must be distinguished from personal relationships. Although we believe that staff can, quite properly, gain satisfaction from developing and sustaining relationships with the families of the children, the key consideration should always be the needs of the child, as opposed to the personal or mutual satisfactions that characterise personal relationships.

Staff must therefore on occasions refrain from allowing a relationship to develop to the extent that they would find personally satisfying or to include a dimension that they would find personally satisfying in order to ensure that the needs of the child remain paramount.

Any member of staff who feels that a relationship is developing that might be judged as inappropriate should discuss the situation with their manager. The action to be taken may include varying the staff member's duties in order to limit contact with that person; discussing the situation frankly with the person in order to re-establish appropriate boundaries; or, in extreme circumstances, controlling an individual's contacts with the organisation.

### **Professional Codes of Practice**

All staff should be familiar with and comply with the code of conduct, copies of which are supplied to all staff. Nursing and other professional staff should, in addition, comply with the standards of conduct and practice set by their own regulatory bodies. Breaches of any of these codes by staff will be reported, and the organisation will cooperate with any action taken by a regulatory body.

### **Action outside the Work Situation**

Although we do not, in general, seek to regulate the private behaviour of staff, we recognise that occasionally an individual's behaviour outside of work may call into question their suitability to work with young people services. It is the responsibility of all staff therefore to behave, both at work or otherwise, in ways that uphold their own credibility and the organisation's reputation.

### **Training Statement**

All staff will be encouraged to read this policy and related policies as part of their induction process and will be provided with training on professional boundaries.

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### **PERSONAL PROPERTY CLAUSE**

You are responsible for looking after your own money, valuables and other personal property brought on to the Company's premises, for example, your handbag, wallet, mobile phone etc. You must take due care of your personal belongings whilst at work. For security reasons, where you are unable to carry your personal belongings with you, you are advised to lock them securely away and you should not leave them unattended at any time.

The Company will not be liable to compensate you in the case of loss or damage to your personal property (whether caused accidentally, by theft or otherwise).

### **RETURN OF COMPANY PROPERTY CLAUSE**

On the termination of your employment, for whatever reason, you will promptly return to the Company all keys, security passes, swipe cards, company car, credit or charge cards, computer software, computer hardware, mobile phones, BlackBerrys, PDAs, GPS equipment, disks, papers, books, manuals, files, memos, reports, contacts list, plans, computer print-outs, computer passwords, documents, account records, resources and any other items (whether in eye readable or machine readable form) which may be in your possession, custody or control and which are the property of the Company or which otherwise relate in any way to the business or affairs of the Company and you must not retain any copies, extracts or summaries of the same or any part thereof. You must, if requested by the Company, confirm in writing your compliance with your obligations under this clause.

You also undertake to return to the Company forthwith any such property that may come into your possession or control after the termination of your employment.

In any event, the return of Company property must take place by no later than any date specified to you at the time by the Company. It is your responsibility to return Company property by no later than the date specified and you hereby agree that a failure to do so will entitle the Company to withhold the whole or any part of any wages due from the Company to you up to the current market value of the property not returned, i.e. based on the value of the property at the time that it is not returned and not on a replacement cost basis.

The Company also reserves the right to issue civil proceedings against you for breach of contract and/or trespass to goods to the extent that any outstanding wages withheld does not cover the current market value of the property not returned.

### **RIGHT TO SEARCH POLICY**

We understand that at times Company property may be misplaced or disputes may arise between employees where allegations of theft may be made. In order to counter these potential problems, the Company reserves the right to carry out personal searches of employees in the workplace. Searches will be conducted having regard to the section on Equal Opportunities and Dignity at Work

and will normally occur on a random basis. They may be carried out at any time whilst an employee is in the workplace. The search of an employee does not indicate that they are under suspicion of any wrongdoing, although the Company also reserves the right to search an employee when it reasonably suspects that they have committed a criminal offence or an illegal act.

Physical searches will be confined to requesting the employee to empty out the contents of their pockets or bags and to remove any jackets, coats, shoes or other outer clothing. Employees will be searched by either a senior supervisor/head of department/head teacher/a designated security officer who is of the same sex as the employee being searched and the search will take place in a private room in the presence of another member of management. If the employee to be searched would like to have a fellow employee present to act as a witness, this will be arranged. Employees have the right to request that a physical search is attended only by people of the same sex. The Company will take steps to ensure that employees' dignity is respected at all times.

Searches may also be conducted on the employee's work area, including their desk, cabinets and locker, and on the employee's personal or work vehicle if parked on the Company's premises. In this case, the search will be conducted by either senior supervisor/head of department/head teacher/a designated security officer (who may not be of the same sex as the employee) in the presence of another member of management and the employee. Again, the employee may request to have a fellow employee present to act as a witness. It may not be possible for this type of search to take place in private but the Company will endeavour to deal with the matter as discreetly as circumstances permit.

The level of search requested may be subject to change and the Company will ensure that the level of search is fair and reasonable, taking into account the circumstances giving rise to it. The Company will keep a record of all searches conducted, including the date, time, details and results of each search and the identities of the employee, the searching officer and any other parties present. This information will be stored confidentially. It will be reviewed on a regular basis by Head Teacher or someone he is given authority to do so to ensure that searches are being carried out fairly and non-discriminatorily and either randomly or only where the Company reasonably suspects that an employee has committed a criminal offence or an illegal act. If you refuse to submit to a search without reasonable excuse, this is a serious matter and will be dealt with in accordance with the Company's disciplinary procedure. You will be given a reasonable period of time to reconsider your decision and you will be asked to provide your reasons for refusing if you wish to maintain your refusal to undergo a search.

Any employee caught in unauthorised possession of property belonging to the Company or property belonging to another employee or other third party, or otherwise caught in possession of an item in breach of this policy (such as an illegal substance), will be dealt with in accordance with the Company's disciplinary procedure. The employee may also be reported to the police if there is evidence to suggest that they may have committed a criminal offence.



## **SAFER RECRUITMENT POLICY**

### **Policy Statement**

This organisation's recruitment and selection procedure aims to ensure that the most suitable candidate is chosen for the job, and that all applicants receive fair and equitable treatment both during the recruitment and selection processes. Best Tutors is committed to providing the best possible care to its children and to safeguarding and promoting welfare of children and young people. We are committed to providing a supportive working

These processes will adhere to relevant employment law practice, we are also mindful of the changes within the Equality Act 2010 and of the guidance issued by Government Equalities Office with respect to health questionnaires and health questions allowed during the interview process. Safe recruitment and selection is acknowledged as our first line of defence in the safeguarding children and young people.

### **The Policy**

This policy is intended to set out the values, principles and policies underpinning this organisation's approach to recruitment and selection of its staff. All staff involved in the recruitment process must adhere to this policy. Failure to do so could result in disciplinary action.

### **Job Posting**

The organisation provides employees with an opportunity to indicate their interest in open positions and to advance within the company according to their skills and experience. Generally, notices of all regular, full and part-time job openings are posted, though the company reserves the right to not post a particular opening, for succession planning purposes.

To be eligible to apply for a posted job, an employee must be performing competently in their present position and have held it long enough to make a significant contribution.

The organisation encourages employees to talk with their supervisors about their career plans and supervisors are encouraged to support employees' efforts to gain experience and advance within the organisation.

An applicant's supervisor may be contacted to account for an employee's performance, skills, and other factors relevant to any application they might make. Any staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

### **Job Advertisement**

Alongside the internal posting of any vacancies, an advert will be posted in the relevant newspaper advertising the job vacancy for approximately 2 weeks. This is to ensure that the organisation benefits from as wide a pool of prospective employees as possible.

### **Personnel Selection**

All applicants are sent an application pack that contains the following: the applicants guide, application form, person specification, and availability sheet. Only applications made using the proper form and received by the advertised deadline are considered.

No CVs are accepted. Applicants are short-listed by comparing their application form with the person specification for the job. All short-listed candidates are offered an interview and given

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details of the company, the position for which they have applied, and the terms and conditions of employment. Where possible, we strive to have a gender-balanced panel.

If it is decided to make an offer of employment, any such offer will be conditional on the following the agreement of a mutually acceptable start date and signing of a contract incorporating the Best Tutors standard terms and conditions of employment;

- Receipt of documents for preventing illegal work in the UK (see guide for employers on preventing illegal working in the UK may 2012) which will be checked and photocopied
- The receipt of two written references (one of which should be from the applicant's most recent employer) which Best Tutors considers satisfactory
- The receipt of a satisfactory enhanced disclosure from the Disclosure and Barring Service
- A completed health declaration from health declaration booklet.

If the above conditions are satisfied and the offer is accepted then the applicant will be issued with a contract of employment as confirmation of employment. All appointments are subject to a three months probationary period during which the notice period to terminate the employment for whatever reason, by either the employee or Best Tutors is 4 weeks. Best Tutors also reserves the right to extend this probationary period should it deem this necessary.

### **Equal Opportunities**

The organisation practices an equal opportunities policy and wishes to recruit and employ those people who are best suited for the vacancies for which they have applied, regardless of sex, sexual orientation, religion and belief, race, disability, maternity and pregnancy, age, Gender Reassignment, marriage and civil partnership. To monitor the equal opportunities' policy all applications (and their ultimate selection or rejection) are thoroughly reviewed.

We require all employees and applicants to complete an equalities monitoring form. This organisation complies fully with the Equality Act 2010 including the guidance issued by the Government Equalities Office (GEO) (<https://www.gov.uk/government/organisations/government-equalities-office>), giving specific exclusions in regard to pre-employment health questions.

### **Checks and References**

In accordance with the recommendations of the DFEs in "safeguarding children; safer recruitment and selection in education settings" Best Tutors carries out a number of pre-employment checks in respect of all prospective employees.

These are undertaken by the company and fulfil the requirements. This includes the following:

- ① A minimum of 2 references,\* one of which must be from their current or last previous employer;
- ① Where verbal references are sought these will be recorded and held on file until receipt of written references; any discrepancies will be investigated and recorded;
- ① Documentary evidence of relevant qualifications, full employment history and satisfactory information about their ability to work within a Regulated Activity;
- ① A "Right to work! Check.
- ① A DBS at enhanced level, which must include all original identification documentation as set out on the form;
- ① Any immigration documentation, if appropriate, where a work permit is in place;
- ① Verification of reason for leaving previous employment;

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- ① Identity documents verified
- ① Photograph of employee

**Please Note:**

Applicant with a DBS who are part of the update service can be checked immediately on the DBS website by the manager.

\* Where a reference does not give sufficient information as requested we will seek a third referee.

Best Tutors policy is to observe the guidance issued or supported by the DBS on the use of disclosure information. In particular, we will;

- store disclosure information and other confidential documents issued by the DBS in locked cabinets, access to which will be restricted to specific members of staff
- Not retain disclosure information or any associated correspondence for longer than is necessary. In most cases the Best Tutors will not retain such information for longer than 6 months although the Best Tutors will keep a record of the date of disclosure and the disclosure number which will be recorded on their personal information forms

**Verification of identity and address**

All applicants who are invited to an interview will be required to bring the following evidence of identity, address and qualifications

- Current driving licence or passport or full birth certificate; and
- Two utility bills or statements (from different sources) showing their name and home address; and
- documentation confirming their national insurance number (P45, P60 or national insurance card); and
- Documents confirming any educational and professional qualifications referred to in their application form.

Where an applicant claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption) he/she will be required to provide documentary evidence of the change.

**Administrative and Support Staff**

Administrative and other staff who are not in regular direct contact with children are expected to have a DBS Standard disclosure. The DBS are continually updating the list of those who are and are not eligible for a DBS on their website.

**Employment of Staff from Overseas**

Staff recruited from overseas will, in addition to all the above checks, be subject to immigration legislation requirements.

**Job Interviews**

Job interviews provide an opportunity for the organisation to acquire the information it needs about applicants in order to decide who is most suitable for the position in question.

Interviews are conducted after applicants have been shortlisted.

Every attempt is made to ensure that interviews are conducted under conditions that are conducive to interviewees being able to demonstrate themselves at their best. Interviewers, for their part, ensure that they have all the appropriate documentation before the start of the interview.

The assessments made by interviewers are formally recorded on an interview assessment form.

Health questions are asked at interviews where the applicant is required to be fit and mentally able to undertake the tasks, and where those tasks are an intrinsic part of the job.

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### **Training Statement**

Managers receive training in interview methods and are made aware of aspects of employment law relating to discrimination, recruitment and selection.

## **SICKNESS ABSENCE POLICY**

### **Statutory Sick Pay**

You are entitled to Statutory Sick Pay (SSP) during periods of properly certified sickness absence. Details of the SSP scheme can be obtained from <https://www.gov.uk/statutory-sick-pay>.

### **Sickness Absence Reporting Procedure**

Should you be unable to attend work due to illness or injury, you must comply with the following sickness absence reporting procedure:

1. On the first morning of your sickness absence, you must personally contact the Company by telephone and speak to your supervisor at the earliest possible opportunity and as close to your normal start time as possible. E-mail and text message contact is unacceptable, as is contact through social media websites or using online or mobile phone instant messaging facilities. In any event, your contact must be no later than two hours after your normal start time. If you are unable to speak to your supervisor personally, you should speak to head of department. You should give those details of the nature of your illness and, if the illness is of a minor nature, indicate when you think that you will be fit to return to work. It is unacceptable for a third party to contact the Company on your behalf to report your sickness absence, other than in very exceptional circumstances (for example, where you have been unexpectedly admitted to hospital and you are not in a position to make the telephone call yourself).
2. You must inform your supervisor as soon as possible of any change in the date of your anticipated return to work. Contacting your supervisor by text message or e-mail or through social media websites or instant messaging facilities with updates is also unacceptable, save other than in exceptional circumstances. If you have been diagnosed as having contracted an infectious or contagious disease, such as measles or chicken pox, or a pandemic virus, you must inform your supervisor as soon as possible after your diagnosis.
3. For an absence of seven consecutive calendar days or less, you are required to telephone your supervisor on a daily basis in accordance with the reporting procedure set out above. However, the Company may relax this requirement in exceptional circumstances, for example, in the case of a pandemic virus affecting a large percentage of the Company's employees. You will be advised about any modified sickness absence reporting requirements at the appropriate time. You must also complete a self-certification of sickness absence form immediately on your return to work. Self-certification forms are available from your department's office and once completed should be returned to your supervisor and/or department head. You are reminded that it is a serious disciplinary offence to provide false information on a self-certification form.
4. Should your sickness absence be for a period in excess of seven calendar days, you are required, as an absolute minimum, to contact your supervisor on a weekly basis in order to provide an update on your illness or injury. A doctor's certificate must also be obtained. A new doctor's

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certificate must be submitted to cover each continual week of sickness absence. Your doctor's certificate must be forwarded to your supervisor as quickly as possible and, in any event, no later than the end of the calendar week in respect of which the certificate applies.

5. You must always provide medical certificates (either self-certification of sickness absence forms or doctor's certificates) to cover the entire period of your sickness absence.

6. The Company reserves the right to request a doctor's certificate for any period of sickness absence even though this may be less than eight calendar days.

7. Where a doctor's certificate indicates that you may be fit for work and the doctor has suggested ways of helping you get back to work, such as a phased return to work, altered hours, amended duties or workplace adaptations, your supervisor will discuss the advice on the doctor's certificate with you and will consider any functional comments made by the doctor, any of the return to work tick boxes and any other action that could help you return to work despite your illness. The various options will be discussed with you and if a return to work is possible, your supervisor will agree with you a return-to-work date, any temporary adaptations or adjustments that are to be made and for how long and will set a date for review. If you disagree with the Company's proposals to support your return to work, you will be asked to confirm why you believe you cannot return to work despite your doctor's suggestions. The Company reserves the right to obtain further medical evidence, as necessary, such as a medical report. If the Company is not able to make any adaptations or adjustments to help you return to work, your supervisor will explain the reasons for this to you and will set a date for review. You may then use the doctor's certificate as if the doctor had advised "not fit for work".

8. For all periods of sickness absence of half a day or longer, your supervisor will require you to attend a "return-to-work" interview on your first day back (or as soon as possible thereafter) to discuss the reasons for your absence and whether it was work-related. In particular, "return-to-work" interviews will be conducted by supervisor each time an employee returns to work following a period of short-term sickness absence of up to one working week. At the interview, you will be advised that your absence record is monitored and recorded in order for the Company to manage performance, identify any problem areas and offer support where appropriate. You will be asked to explain the reasons for your absence and whether you consulted a doctor or attended hospital and you will be requested to complete a self-certification form for the period of your absence. In the case of frequent or repeated absences, your supervisor will discuss whether there are any underlying reasons for the regular absences (in particular, whether they are in any way work-related) and explore with you whether there is any apparent pattern of absence. You may also be set reasonable targets and time limits for improvement in your attendance and be warned that a failure to improve may result in disciplinary action.

9. For long-term sickness absence, your supervisor may request to visit you at home to see if there is anything that the Company can do to assist you with a return to work. You are under no obligation to agree to this type of request.

10. For long-term sickness absence, or frequent periods of sickness absence, the Company may request a medical report from your GP or consultant or alternatively request that you visit a doctor selected by the Company to undergo a medical examination. The Company will only request you to undergo a medical examination where reasonable to do so.

11. The Company reserves the right to withhold sick pay in circumstances where the certification procedure described above has not been followed or where there is sufficient reason to doubt the validity of your sickness absence claim. In the latter circumstances, the Company may request you to undergo a medical examination by a doctor selected by it.

12. It is Company policy that any employee in receipt of sick pay (including Statutory Sick Pay) is prohibited from undertaking any form of paid alternative employment, self-employment or voluntary work. Any breach of this rule will be regarded as gross misconduct, which may result in your dismissal. On being fit to return to work, you must contact your supervisor and let them know as far in advance as possible of the proposed date of your return.

13. If you have been suffering from an infectious or contagious disease such as measles or chicken pox, or a pandemic virus, you must not report for work until you are medically fit to do so.

14. The Company reserves the right to send an employee home if, for any reason, they appear to be unfit for work or appear to present a risk to themselves, the workplace, other staff members or third parties. These are precautionary measures designed to prevent the spread of disease in the workplace and/or further harm to the employee or others.

15. Persistent short-term sickness absence is, in the absence of any underlying medical condition or other reasonable excuse, a disciplinary matter and will be dealt with in accordance with the Company's disciplinary procedure. If it is subsequently discovered that your sickness absence was not genuine, this will also be treated as a disciplinary matter.

#### **SELF-CERTIFICATION OF SICKNESS ABSENCE FORM**

This form is to record sickness absence information and is to be completed by you on the first day of return to work and countersigned by your supervisor. It must be completed for all periods of sickness absence of half a day or more. If you leave work early on a particular day as a result of sickness, you should record the time you left in the section headed "date on which you first became unfit for work".

If you are absent due to illness for more than seven consecutive calendar days, you must also provide a doctor's certificate.

Once completed, this form will be placed on your personnel file and retained for a period of three years. A separate record will also be kept of your attendance record. The latter will simply record days of sickness absence but will not give the reasons for the absence.

SELF-CERTIFICATION OF SICKNESS ABSENCE FORM

Full name of employee:	
Date on which you first became unfit for work:	
Date on which you returned to work:	
Total number of working days (including half-days) absent due to illness:	
Please give precise details of the nature of your illness or injury – “sick”, “ill” or “unwell” is insufficient:	
Did you visit your doctor or seek other medical advice in relation to this period of illness or injury?	YES/NO
If you did not visit your doctor or seek other medical advice, please give the reason why not:	
I declare that the information I have given on this form is true and I confirm that I am now fit to resume work. I understand that it is a serious disciplinary offence to provide false information on this form.	

Name: .....  
(insert name of employee)

Name: .....  
(insert name of supervisor)

Signed: .....

Signed: .....

Date: .....

Date: .....

## **SMOKING POLICY**

### **Introduction**

Second hand smoke is a known health hazard. In 2004, the Government's Scientific Committee on Tobacco and Health reported that the increased risk to non-smokers of lung cancer from exposure to second hand smoke was 24% and the increased risk of heart disease 25%.

In provisions made under the Health Act 2006, all enclosed and substantially enclosed workplaces and public places will be legally required to be smoke free.

The following policy has been adopted by Best Tutors to take all possible steps to protect employees from second hand smoke exposure and to comply with legislative requirements.

### **The policy**

Smoking is prohibited in Best Tutor's premises and on the surrounding grounds, including the car park. Smoking is also prohibited in company vehicles used by more than one person, and in private vehicles if a passenger is carried. This applies to employees whether employed directly by Best Tutors through an agency, by a contractor or other organisation, and visitors.

Employees who wish to smoke may do so in their own time during lunch breaks. Employees will not be permitted to smoke whilst carrying out their duties and responsibilities for Best Tutors

The sale of tobacco will be prohibited in all Best Tutors premises.

### **The policy for third party premises**

Employees required to visit other premises not covered by smoke free legislation as part of their duties should advise the visitee when arranging a visit of Best Tutors smoking policy. Although Best Tutors has a duty of care to protect its employees it cannot control the smoking policy on these premises.

Employees should agree that the visitee arrange for a non-smoking area to be provided for the duration of the visit. Where this is not possible, employees should ask the visitee to refrain from smoking inside the premises or in the meeting area for one hour before the visit and that the visitee not smoke during the duration of the visit.

In circumstances where it is not possible to arrange a visit beforehand, employees should seek advice from their line manager, who should take all reasonable steps to protect them from exposure to second hand smoke.

### **Implementation and enforcement of the policy**

Managers will be responsible for the promotion and maintenance of the policy by their staff. Managers will receive training and guidance regarding their responsibilities in relation to the policy and enforcement of it.

Employees should inform the appropriate manager of anyone who fails to comply with the policy.

Employees not complying with the policy will be referred to Occupational Health/their manager for



support subject to the usual disciplinary procedure.

Visitors not adhering to the policy will be asked to comply or leave the premises or site.

All job applicants will be made aware of the policy via application packs, where a requirement to abide by it will be part of the person specification. Applicants will be reminded of the policy at interview stage.

A copy of the policy will form part of new employees' induction packs. Training and guidance on enforcing the policy will form part of new managers' induction process.

#### **Support for those who smoke**

Best Tutors recognises that smoking is an addiction and that the smoking policy will impact on smokers' working lives. Best Tutors wishes to support employees who want to stop and help individuals adjust to this change.

Best Tutors will give each employee who smokes, and wishes to stop, four hours paid time off to seek professional help from the local NHS Stop Smoking Service, their GP or other recognised method of smoking cessation.

<https://new.enfield.gov.uk/services/health/public-health/healthy-lifestyle/smoking/>

Best Tutors Occupational Health department/manager/owner will provide smoking cessation support/information on free local NHS stop smoking services.

## **SOCIAL MEDIA POLICY**

### **Social media definition**

Social media is an interactive online media that allows users to communicate instantly with each other or to share data in a public forum. It includes social and business networking websites such as Facebook, MySpace, Bebo, Twitter, MSN and LinkedIn. Social media also covers video and image sharing websites such as YouTube and Flickr, as well as personal blogs. The widespread use and availability of social networking application bring opportunities to communicate engage and understand with audiences in new ways.

This is a constantly changing area with new websites being launched on a regular basis and therefore this list is not exhaustive. It is important that we are able to use these technologies and services effectively and flexibly. However, it is also important to ensure that we balance this with our reputation. This policy applies in relation to any social media that employees may use and is to protect children, young people, staff and advice management on how to deal with potential inappropriate use of social networking sites as these the use of these social networking applications has implications for our duty to safeguard children, young people and vulnerable adults.

The policy is aimed at providing the balance to support innovation whilst providing a framework of good practice.

Best Tutors is not exposed to legal risks

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The reputation of Best Tutors is not adversely affected  
Our users are able to clearly distinguish where information provided via social networking applications is legitimately representative of Best Tutors

#### **Use of social media at work**

Employees are not permitted to access social media websites or to keep a blog using the Company's IT systems and equipment at any time. This includes laptop and hand-held computers or devices distributed by the Company for work purposes. Where employees have their own computers or devices, such as laptops and hand-held devices, they must limit their use of social media on this equipment to outside their normal working hours (for example, during lunch breaks).

However, employees may be asked to contribute to the Company's own social media activities during normal working hours, for example by writing Company blogs or newsfeeds, managing a Facebook account or running an official Twitter or LinkedIn account for the Company. Employees must be aware at all times that, while contributing to the Company's social media activities, they are representing the Company.

#### **Company's social media activities**

Where employees are authorised to contribute to the Company's own social media activities as part of their work, for example for marketing, promotional and recruitment purposes, they must adhere to the following rules:

Use the same safeguards as they would with any other type of communication about the Company that is in the public domain

Ensure that any communication has a purpose and a benefit for the Company

Obtain permission from the Head teacher before embarking on a public campaign using social media

Request the Head teacher to check and approve content before it is published online

Follow any additional guidelines given by the Company from time to time.

The social media rules set out below also apply as appropriate.

In addition, such social media accounts which are operated for business purposes (and their contents) belong to the Company and therefore these accounts used by an employee during employment may not be used after termination of employment.

#### **Social media rules**

The Company recognises that many employees make use of social media in a personal capacity outside the workplace and outside normal working hours. While they are not acting on behalf of the Company in these circumstances, employees must be aware that they can still cause damage to the Company if they are recognised online as being one of its employees. Therefore, it is important that the Company has strict social media rules in place to protect its position.

When logging on to and using social media websites and blogs at any time, including personal use on non-Company computers outside the workplace and outside normal working hours, employees must not:

other than in relation to the Company's own social media activities or other than where expressly permitted by the Company on business networking websites such as LinkedIn, publicly identify themselves as working for the Company, make reference to the Company or provide information from which others can ascertain the name of the Company (and in any event they should not hold

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themselves out as associated with the Company on any social media website after termination of employment)

other than in relation to the Company's own social media activities or other than where expressly permitted by the Company on business networking websites such as LinkedIn, write about their work for the Company - and, in postings that could be linked to the Company, they must also ensure that any personal views expressed are clearly stated to be theirs alone and do not represent those of the Company.

① Conduct themselves in a way that is potentially detrimental to the Company or brings the Company or its clients, customers, contractors or suppliers into disrepute, for example by posting images, audio recordings or video clips that are inappropriate or links to inappropriate website content.

① Other than in relation to the Company's own social media activities or other than where expressly permitted by the Company on business networking websites such as LinkedIn, use their work e-mail address when registering on such sites or provide any link to the Company's website.

① allow their interaction on these websites or blogs to damage working relationships with or between employees and clients, customers, contractors or suppliers of the Company, for example by criticising, arguing with such persons or posting video or audio clips.

① include personal information or data about the Company's employees, clients, customers, contractors or suppliers without their express consent (an employee may still be liable even if employees, clients, customers, contractors or suppliers are not expressly named in the websites or blogs as long as the Company reasonably believes they are identifiable) - this could constitute a breach of the Data Protection Act 1998 which is a criminal offence.

① make any derogatory, offensive, discriminatory, untrue, negative, critical or defamatory comments about the Company, its employees, clients, customers, contractors or suppliers (an employee may still be liable even if the Company, its employees, clients, customers, contractors or suppliers are not expressly named in the websites or blogs as long as the Company reasonably believes they are identifiable)

① Make any comments about the Company's employees that could constitute unlawful discrimination, harassment or cyber-bullying contrary to the Equality Act 2010 or post any images or video clips that are discriminatory or which may constitute unlawful harassment or cyber-bullying - employees can be personally liable for their actions under the legislation.

① disclose any trade secrets or confidential, proprietary or sensitive information belonging to the Company, its employees, clients, customers, contractors or suppliers or any information which could be used by one or more of the Company's competitors, for example information about the Company's work, its products and services, technical developments, deals that it is doing or future business plans and staff morale.

① breach copyright or any other proprietary interest belonging to the Company, for example, using someone else's images or written content without permission or failing to give acknowledgement where permission has been given to reproduce particular work - if employees wish to post images, photographs or videos of their work colleagues or clients, customers,

contractors or suppliers on their online profile, they should first obtain the other party's express permission to do so.

Employees must remove any offending content immediately if they are asked to do so by the Company.

Work and business contacts made during the course of employment through social media websites (such as the names and contact details of existing or prospective customers, clients and suppliers) and which are added to personal social and business networking accounts (in particular to LinkedIn), or which are stored on the Company's computer system, amount to confidential information belonging to the Company and accordingly must be surrendered on termination of employment.

On termination of employment or once notice to terminate employment has been given, employees must, on request, disclose to the Company a full list of all work and business contacts that they hold on all devices or on all social and business networking accounts. The Company may then require the departing employee to delete any or all such work and business connections from their devices (including from personal devices) or from their social or business networking account, not keep copies of the same and not reconnect with those connections for a period of six months from termination of employment. The Company may also require written confirmation from the employee that these provisions have been complied with.

Employees should remember that social media websites are public fora, even if they have set their account privacy settings at a restricted access or "friends only" level, and therefore they should not assume that their postings on any website will remain private.

Employees must also be security conscious when using social media websites and should take appropriate steps to protect themselves from identity theft, for example by placing their privacy settings at a high level and restricting the amount of personal information they give out, e.g. date and place of birth. This type of information may form the basis of security questions and/or passwords on other websites, such as online banking.

Should employees notice any inaccurate information about the Company online, they should report this to their supervisor in the first instance.

#### **Social media monitoring**

The Company reserves the right to monitor employees' use of social media on the Internet, both during routine audits of the computer system and in specific cases where a problem relating to excessive or unauthorised use is suspected. The purposes for such monitoring are to:

- ① promote productivity and efficiency
- ① ensure the security of the system and its effective operation
- ① make sure there is no unauthorised use of the Company's time
- ① ensure that inappropriate, restricted or blocked websites are not being accessed by employees
- ① Make sure there is no breach of confidentiality.

The Company reserves the right to restrict, deny or remove Internet access, or access to particular social media websites, to or from any employee.

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### **Child protection guidance**

In case a managers receives a disclosure that a staff employed by Best Tutors is using a social networking site in an inappropriate manner as detailed above they should:

Record the disclosure in line with their child protection/safe guarding policy

Best Tutors will refer the matter to the LA who will investigate via Police Child Protection Team.

If the disclosure has come from a parent, take normal steps to calm the parent and explain processes

If disclosure comes from a member of staff, try to maintain confidentiality The LA will advise whether the member of staff should be suspended pending investigation after contact with the police. It is not recommended that action is taken until advice has been given.

If disclosure is from a child, follow your normal process in your child protection policy until the police investigation has been carried out

### **Prevention of Cyber Bullying**

Understanding and information

- The ICT department head [Mr Eman Sheikh] will act, as an e-Safety Officer, to oversee the practices and procedures outlined in this policy and monitor their effectiveness.
- The e-Safety Officer [Mr Eman Sheikh] will ensure that Best Tutors maintains details of agencies and resources that may assist in preventing and addressing bullying.
- Staff will be trained to identify signs of cyber bullying and will be helped to keep informed about the technologies that children commonly use.
- A Code of Advice (see Appendix 1) will be developed, periodically reviewed and communicated to help Children/young people protect themselves from being caught up in cyber bullying and to advise them on reporting any incidents.
- Children/young people will be informed about cyber bullying through curricular and pastoral activities.
- Children/young people and staff are expected to comply with the Best Tutors Acceptable Computer Use Policy.
- Parents will be provided with information and advice on cyber bullying.

### **Contravention of this policy**

Failure to comply with any of the requirements of this policy is a disciplinary offence and may result in disciplinary action being taken under the Company's disciplinary procedure. Depending on the seriousness of the offence, it may amount to gross misconduct and could result in the employee's summary dismissal.

## **TIMEKEEPING POLICY**

All employees are expected to report for work punctually and to observe the normal hours of work laid down in their contract of employment, including the provision for lunch breaks. Failure to report for work on time is detrimental to the efficient running of the business and imposes an unnecessary and unfair burden on colleagues.

You are responsible for ensuring you arrive at work early enough to enable you to begin work at your appointed start time. Your start time is the time you are expected to actually start work, not the time you are expected to arrive at your normal place of work.

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If you are going to be late for work, you must make every effort to contact your supervisor by telephone as soon as possible to notify them of this fact and of the time you expect to arrive.

If it becomes necessary for you to leave work before your normal finishing time or to take time off work during normal working hours (even in circumstances of a family emergency), prior authorisation must be obtained from your supervisor.

Except in the normal course of your job duties and during your lunch break, you must not leave your place of work without prior authorisation from your supervisor.

Your supervisor will monitor your timekeeping on an ongoing basis. Such monitoring will include visual observation, written time sheets and/or biometric fingerprint scanning. Your supervisor is responsible for keeping records of the dates and number of occasions of lateness and the length of lateness on each occasion.

You have no contractual or statutory right to be paid for time not worked due to lateness or absence. Any payments made by the Company in such circumstances are done so in its absolute discretion.

Failure to comply with the above rules and procedures without reasonable excuse and/or persistent poor or unsatisfactory timekeeping are serious misconduct offences and will be dealt with in accordance with the Company's disciplinary procedure.

## **TRAINING & DEVELOPMENT POLICY**

### **Purpose and Scope**

Best Tutors is committed to ensuring that all staff and volunteers have access to learning, development and training opportunities which enable them to be suitably knowledgeable and skilled to carry out their role within the organisation. The Company is committed to training and developing all of its employees so as to enable them to achieve their maximum potential. However, it also considers it appropriate to base training and development opportunities on the requirements of the business. Therefore, decisions about investment in staff training and development will always be made having regards to the needs of the business as well as the employee's individual needs, and to develop their talents in any ways that fit with the organisation's development to meet its strategic objectives.

The Company regularly reviews its level of investment in staff training and development to ensure not only that adequate resources are being provided but also that training and development activity is delivering a benefit to both the employee and the business.

### **Aims**

The main aims of this policy are to:

- ensure that employees and volunteers are supported and enabled to meet the changing demands of the organisation and its service users so that the organisation achieves its strategic objectives
- facilitate employee/volunteer development and/or personal development through assisting them to broaden, deepen and thereby further enhance their existing skill base.

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- provide a working environment where continuous learning and development take place that help staff to gain more enjoyment from their roles, increase motivation and enhance staff retention

### **Equal Opportunities**

The organisation is committed to ensuring equality of learning opportunity, hence no employee or volunteer will be excluded from learning on the grounds of gender (including gender reassignment), age, marital status, disability, racial grounds (race, colour, nationality, ethnic or national origin), sexual orientation, religion or belief, responsibility for dependants, trade union membership or employment status. Part time and fixed term employees will have equal access to learning and development opportunities appropriate to their post, and volunteers will be given access to relevant training.

### **Responsibilities**

#### **Employees**

Best Tutors believes that employee development is most effective when the individual employee takes responsibility for identifying any opportunities for self-development which will enhance work performance through increased skills and knowledge.

Learning needs and opportunities will also be identified through the support, supervision and appraisal process, and through internal assessments to meet business need. We expect all employees to also take a proactive approach to furthering organisational wide learning and development.

The HR department should be notified of all learning undertaken for inclusion in a central log (CPD log). This should also include top level comments on the quality and cost effectiveness of training from participants, which is made available to all staff when considering booking training.

#### **Line Managers/head of departments**

Line managers are responsible for assisting staff and volunteers to identify learning needs and for ensuring that they review these with staff on a regular basis during support and supervision sessions. The employee's log of learning should also be discussed at these sessions.

Line managers have a responsibility to monitor and evaluate the effectiveness of learning for employees who have undergone training and development.

Line managers should seek feedback on any training, including quality and cost effectiveness. Line managers should then ensure that employees implement the skills that they have gained through training and ensure that feedback on training is shared with the organisation via the central log of Learning (CPD records)

#### **Director**

The co-ordination of the learning and development process is the responsibility of the director. He will, therefore, ensure that evaluation of learning activities is undertaken annually by liaising with line managers to ensure that any identified needs are addressed accordingly.

He is responsible for agreeing the learning and development budget on an annual basis – a minimum of 1% of annual budget will be allocated to this. The learning budget is controlled by the director with subsequent allocation monitored with the senior management team.

### **Routes to Learning & Development**

Options for learning & development may include:

- On the job learning including learning from other members of staff via job shadowing, mentoring, in house skill sharing, staff away days etc.
- Secondments and placements/visits to other organisations
- Setting up job development opportunities such as public speaking, in house presentations at team meetings
- Attending internal or external training days/ workshops
- Attending conferences, forums
- An external course of study
- Web based e learning
- Self-directed study – such as books, manuals, online information Best tutors is committed to sharing the learning and lessons gained by staff and volunteers throughout the organisation.

### **This will be accomplished in a number of ways:**

- Giving time in team meetings to share core lessons from training
- Networking with partner and same sector organisations and incorporating their literature, reports and research documents into office resource libraries.

### **Key Professional and Skills Based Learning**

The organisation aims to prioritise learning that focuses on areas which:

- enable us to fulfil our strategic objectives
- pertain to any organisational statutory/contractual obligations
- are essential in order to generate and maintain income
- enable effective responses and management of legislative changes
- ensure IT skills meet business need
- are essential to ensure the quality of service provision
- enable employees to meet their responsibilities in completing continuous professional development required by relevant professional bodies
- enable management development in relation to those who have managerial/supervisory responsibilities

### **Core Learning**

There are specific areas of learning which are essential for all employees and cover a rolling programme of needs which have been identified as part of a continuous programme of learning and development.

### **Core learning will therefore cover the following areas:**

#### **Induction**

All new employees are given a timely programme of induction including introduction to all policies for the organisation. This is an essential part of staff learning and development, and integration into the working environment.

#### **ICT (Information and Communication Technologies)**

It is important that all employees are given opportunities to enhance their ICT skills base. The organisation is committed to ensuring that all employees have competent grounding in the use of ICT in the wider context of their professional roles. Employees are positively encouraged to become familiar with the extranet, internet, email other electronic facilities and computer software

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packages at their disposal. Initial information and training will be provided on commencement of the role or when any technology changes occur.

#### **Recording, Monitoring & Evaluating Learning**

The HR department is responsible for ensuring that a central record of employee learning is created and maintained, and that all learning and development activities are monitored and evaluated in terms of suitability, effectiveness and value for money.

Line Managers have responsibility for reporting on the effectiveness of any staff development programmes to the Director at the Senior Management Team meeting once a year.

#### **Performance Management**

Performance management is an on-going communication process, which involves both the line manager and their employee in:

- identifying and describing essential job functions and relating them to the strategic and operational objectives of the organisation
- developing realistic and appropriate performance standards
- giving and receiving feedback about performance
- participating in constructive performance appraisals
- planning learning and development opportunities to sustain, improve or build on employee work performance.

Regular meetings/communications between staff and line manager facilitates this process.

#### **Appraisals**

Annual Appraisals are an essential component of Best tutors's performance management framework and are supported by regular support and supervision sessions between line managers and their employees throughout the course of the year. The appraisal scheme allows for every employee to be formally appraised with their line manager through a structured discussion on work performance over the previous year and which, must also incorporate the employee's learning and development needs for the following year.

It is an opportunity to build on strengths and address areas, which require support, thereby enhancing the potential skill base of the individual employee.

#### **Supervision and Appraisal process:**

Best tutors has a culture of effective informal mentoring on an on-going basis, this is based around continuous support.

The formal aspects to this however are:

Supervision sessions are held at a min of 6 week intervals between all staff and their line managers on an individual basis.

A full Annual Appraisal is then carried out by line managers through discussion with each employee on an annual basis.

A Personal Development Plan for the year is then created.

Forms for the Supervision and Appraisal are available from HR department.

## **UNAUTHORISED ABSENCE POLICY**

### **Introduction**

This policy covers any situation where an employee is absent from work without authorisation or prior notification.

### **Examples include:**

Taking sickness absence without proper notification to a line manager, failure to return from work at the end of a period of annual leave or other authorised leave of absence; or where the employee asserts they have been given leave of absence contrary to the opinion of their line manager.

The responsibility for carrying out the key stages of this policy rests with the employee's line manager, and the director of Best tutors.

If you fail to report for work without prior permission or without notifying the Company and you do not have a legitimate reason for your absence, such as sickness absence (in which case, you need to comply with the Company's sickness absence reporting procedures and you must provide the required evidence of your incapacity), this constitutes unauthorised absence.

Unauthorised absence also includes cases of failing to return to work on time from a period of annual leave or other approved leave of absence without reasonable excuse and cases where you purport to take a period of annual leave that has not been approved in advance by your supervisor. Unauthorised absence without good cause is a serious disciplinary matter and will be dealt with in accordance with the Company's disciplinary procedure.

Depending on the circumstances of the case, it may amount to potential gross misconduct rendering you liable to summary dismissal.

In addition, you will not be paid for any period or periods of unauthorised absence as you will have failed to report for work. The Company reserves the right to withhold payment or deduct from salary a day's pay for each day of unauthorised absence. Any decision concerning this matter will be made by your supervisor/line manager.

### **Assumed resignation**

Unless there is clear evidence (written or verbal) that the employee has resigned, the organisation will not infer that a resignation has been received from the employee. After the line manager has carried out the steps to contact the staff, but has failed to contact the employee, the procedure will be dealt with section below.

### **Procedure**

On the first day of your unauthorised absence, your supervisor will attempt to contact you and will keep a record of this. If you do not answer the telephone, your supervisor will leave a voicemail message, if possible, asking you to return the call. If your supervisor is unable to make contact with you, they may attempt to contact your listed emergency contact or next of kin.

On the second day of your unauthorised absence, and assuming nothing has been heard from you and the Company has been unable to make satisfactory contact with either you or your emergency contact or next of kin, your supervisor will write to you setting out that you are absent from work without permission and the attempts that have been made to contact you.

If there is no contact from the employee after five working days, further attempts will be made using the emergency telephone numbers provided and electronic means available. The contact(s) should be asked to pass on the line manager's message urgently. The whereabouts of the employee may be known (eg they are abroad on a holiday). In this case, the feasibility of contacting them should be explored to explain the position and require them to return to work immediately. If this Contact is impossible, a further letter will be sent to the employee (which should be hand delivered if practicable) explaining the seriousness of the case. At least one further attempt should be made to contact the employee using all available telephone numbers and electronic methods. If there is no reply within five working days, the procedure will be dealt with under section of this policy. You will be asked to contact the Company as a matter of urgency and you will also be warned that unauthorised absence without good reason is a serious disciplinary offence which could result in disciplinary action being taken against you.

#### **Disciplinary action**

This section applies where:

- (a) The employee has taken unauthorised leave of absence and has been contacted, or
- (b) The employee is absent without explanation and cannot be contacted.

In all respects, the following will take place in accordance with the organisation's Disciplinary Policy and Procedure.

In cases where the employee has returned to work, a prompt and thorough investigation will take place. A decision will be made whether to proceed with disciplinary action. In the case of sickness absence, a decision will be made whether the reason(s) for absence were genuine and whether the failure to make contact with the organisation constitutes any type of misconduct. Where necessary, a medical examination may be required.

Medical certificates presented by the employee can be verified by reference to appropriate Medical advice.

Should the employee not have made contact, or it is decided to proceed with disciplinary action against an employee who has returned to work, the employee will be invited in writing to attend a disciplinary hearing. They have the right to be accompanied at that hearing. The employee may be disciplined in accordance with the organisation's Disciplinary Policy and Procedure, in which case they have the right of appeal.

Where no contact has been made with the employee, the disciplinary proceedings may be postponed on two occasions. However, if no contact with the employee has been possible the employee may be dismissed for 'some other substantial reason'. Alternatively, should the employee unreasonably refuse to attend a disciplinary hearing on at least two occasions, that hearing will subsequently take place and, if appropriate, a disciplinary penalty, including dismissal will be applied.

### **WHISTLEBLOWING POLICY**

Whilst it is expected that there should be a professional approach at all times and that everyone should hold the welfare and safety of every child and young person as their paramount objective, there may be occasions where this may not be happening.

It is vital that all team members talk through any concerns they may have with their Supervisor at the earliest opportunity to enable any problems to be ironed out as soon as they arise.

#### **Disclosure of information**

Where a member of staff becomes aware of information that they reasonably believe tends to show one or more of the following, they **MUST** use the Safeguarding young people disclosure procedure set out below: That a criminal offence has been committed or is being committed or is likely to be committed

That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject

That a miscarriage of justice that has occurred, is occurring, or is likely to occur

That the health or safety of any individual has been, is being, or is likely to be, endangered

That the environment, has been, is being, or is likely to be, damaged

That information tending to show any of the above, is being, or is likely to be, deliberately concealed.

#### **Disclosure procedure**

Where it is believed that one or more of the above circumstances listed above has occurred staff should promptly disclose this with their supervisor so that any appropriate action can be taken. If it is inappropriate to make such a disclosure to the supervisor (i.e. because it relates to supervisor) the member of staff should speak to a member of the management team or Director.

Staff will suffer no detriment of any sort for making such a disclosure in accordance with this procedure. For further guidance in the use of the disclosure procedure, staff should speak in confidence to the Deputy Head/ Director.

Any disclosure or concerns raised will be treated seriously and will be dealt with in a consistent and confidential manner and will be followed through in a detailed and thorough manner

Any staff member who is involved in victimizing staff that make a disclosure, takes any action to deter staff from disclosing information or makes malicious allegations or disclosures in bad faith will be subject to potential disciplinary action which may result in dismissal.

Failure to report serious matters can also be investigated and potentially lead to disciplinary action which may result in dismissal

Any supervisor who inappropriately deals with a whistle-blowing issue (e.g. failing to react appropriately by not taking action in a timely manner or disclosing confidential information) may be deemed to have engaged in gross misconduct which could lead to dismissal.

### **SUSPENSIONS AND EXCLUSIONS OF CHILDREN POLICY**

Best Tutors is committed to dealing with inappropriate behaviour in a non-confrontational and constructive manner. Wherever possible, disruptive or challenging behaviour will be tackled collectively between staff and children. The decision to exclude or suspend a child from tuition is a serious one. It will be used only when other forms of behaviour guidance are unsuccessful. All efforts will be made to resolve issues that arise within the service.

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A child will only be suspended or excluded from the service when all other avenues have been exhausted. The decision to exclude or suspend will be based on information collected by staff detailing all behaviours including frequency, seriousness, any patterns and any other important or relevant behaviour including additional needs, medication, family history and will be a joint decision between the director, head of department and the teachers and will only be used after consultation with the parent or carer.

Such procedures are outlined in the Behaviour Management policy.

However, there are occasions when such strategies alone will not alter or prevent inappropriate behaviour. In such cases, further action will be necessary, including reviewing a child's place at the Club, on either a temporary or permanent basis.

### **Suspension**

Suspension from Best Tutors means that the child/young person does not attend for an agreed period of time ranging from one day to five days. The length of a suspension is determined by the manager and depends on the severity or frequency of the irresponsible behaviour.

Suspension from Best tutors is intended to:

- provide support for the child and their family if needed
- protect the enjoyment and safety rights of the other children
- signal to the parents or carers that the child's behaviour is not acceptable within the club setting.

### **Exclusion**

Exclusion from Best Tutors means that the child/young person does not attend for either, a set period of time ranging from two to six weeks or for the remainder of a term. The length of exclusion is determined by the manager and is dependent on the severity or frequency of the irresponsible behaviour and the time deemed necessary to achieve specific behavioural changes.

Exclusion from Best Tutors is intended to:

- enable the child to achieve certain goals related to increasing responsible behaviour
- signal that the child's irresponsible behaviour is not acceptable and cannot be managed within the setting without interfering with the rights of others to enjoyment and safety.

Suspension or Exclusion from best Tutors are appropriate responses when the director/head of department believes on reasonable grounds that:

- the child's behaviour endangers his/her safety or the safety of others
- the child frequently assaults other children or staff.

Assault includes:

① Hitting, biting, kicking, pushing or serious verbal aggression.

- the child disrupts the group on a regular basis.
- the child has disrespect for the staff/the other children/clubs' property.

Persistent unacceptable behaviour from a child will result in the following.

### **Formal warning**

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Staff will explain to the child why their behaviour is unacceptable and the consequences of any further such incidents. Children will be encouraged to discuss their behaviour, to explain their actions, and helped to develop strategies to avoiding repeat incidents. Details of all warnings, suspensions and exclusions will be recorded and kept on the child's records. Each warning should be discussed with the child concerned and their parent/carer. All staff will be made aware of any warnings given to a child. As a last resort, the Club has the right to temporarily suspend or permanently exclude a child in the event of persistent and irresolvable unacceptable behaviour.

**Suspension**

Only in the event of an extremely serious or dangerous incident will a child be suspended from the Centre with immediate effect. In such circumstances, the child's parent/carer will be contacted immediately and asked to collect their child, even if the child normally signs themselves out. Children will not be allowed to leave the premises until a parent/carer arrives to collect them. After an immediate suspension has taken place, the Supervisor will arrange a meeting with the child concerned and their parents/carers to discuss the incident and decide if it will be possible for them to return to the Centre.

Suspensions and exclusions should be seen as consistent, fair and proportionate to the behaviour concerned. In setting such a sanction, consideration should be given to the child's age and maturity. Any other relevant information about the child and their situation should also be considered. If appropriate, help and advice will be sort from concerned professionals in order to plan for the child or young person's return. Every effort will be made in order to support all and strategies will be implemented to promote a positive outcome. This may include seeking funding. Staff should always keep parents/carers informed about behaviour management issues relating to their child and attempt to work with them to tackle the causes of disruptive or unacceptable behaviour.

No member of staff may impose a suspension from the Centre without prior discussion with the Manager. Staff will consult the Supervisor as early as possible if they believe that a child's behaviour is in danger of warranting suspension or exclusion.

When a suspension is over and before a child is allowed to return to the Centre, there will be a discussion between staff, the child and their parent/carer, setting out the conditions of their return.

**STATEMENT OF TRUTH**

I confirm that I have received, read and understood the contents of this staff handbook.

Name of employee .....

Signed .....

Date .....



Department  
for Education

# **Keeping children safe in education 2022**

**Statutory guidance for schools and  
colleges**

**1 September 2022**

# Part one: Safeguarding information for all staff

## What school and college staff should know and do

### A child centred and coordinated approach to safeguarding

1. Schools and colleges and their staff are an important part of the wider safeguarding system for children. This system is described in the statutory guidance Working Together to Safeguard Children.
2. Safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child centred. This means that they should consider, at all times, what is in the **best interests** of the child.
3. No single practitioner can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, **everyone** who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.
4. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:
  - protecting children from maltreatment
  - preventing the impairment of children's mental and physical health or development
  - ensuring that children grow up in circumstances consistent with the provision of safe and effective care, and
  - taking action to enable all children to have the best outcomes.
5. Children includes everyone under the age of 18.

### The role of school and college staff

6. School and college staff are particularly important, as they are in a position to identify concerns early, provide help for children, promote children's welfare and prevent concerns from escalating.
7. **All** staff have responsibility to provide a safe environment in which children can learn.



8. **All** staff should be prepared to identify children who may benefit from early help.<sup>4</sup> Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years.
9. **Any staff member** who has **any** concerns about a child's welfare should follow the processes set out in paragraphs 51-67. Staff should expect to support social workers and other agencies following any referral.
10. **Every** school and college should have a designated safeguarding lead who will provide support to staff to carry out their safeguarding duties and who will liaise closely with other services such as local authority children's social care.
11. The designated safeguarding lead (and any deputies) are most likely to have a complete safeguarding picture and be the most appropriate person to advise on the response to safeguarding concerns.
12. The Teachers' Standards 2012 state that teachers (which includes headteachers) should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.<sup>5</sup>

## What school and college staff need to know

13. **All** staff should be aware of systems within their school or college which support safeguarding, and these should be explained to them as part of staff induction. This should include the:
- child protection policy (which should amongst other things also include the policy and procedures to deal with child-on-child abuse)
  - behaviour policy (which should include measures to prevent bullying, including cyberbullying, prejudice-based and discriminatory bullying)<sup>6</sup>
  - staff behaviour policy (sometimes called a code of conduct) should amongst other things, include low-level concerns, allegations against staff and whistleblowing
  - safeguarding response to children who go missing from education, and

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<sup>4</sup> Detailed information on early help can be found in Chapter 1 of [Working Together to Safeguard Children](#).

<sup>5</sup> The [Teachers' Standards](#) apply to: trainees working towards QTS; all teachers completing their statutory induction period (newly qualified teachers [NQTs]); and teachers in maintained schools, including maintained special schools, who are subject to the Education (School Teachers' Appraisal) (England) Regulations 2012.

<sup>6</sup> All schools are required to have a behaviour policy (full details are [here](#)). If a college or chooses to have a behaviour policy it should be provided to staff as described above.

- role of the designated safeguarding lead (including the identity of the designated safeguarding lead and any deputies).

Copies of policies and a copy of Part one (or Annex A, if appropriate) of this document should be provided to **all** staff at induction.

14. **All** staff should receive appropriate safeguarding and child protection training (including online safety) at induction. The training should be regularly updated. In addition, **all** staff should receive safeguarding and child protection (including online safety) updates (for example, via email, e-bulletins, and staff meetings), as required, and at least annually, to continue to provide them with relevant skills and knowledge to safeguard children effectively.

15. **All** staff should be aware of their local early help process and understand their role in it.

16. **All** staff should be aware of the process for making referrals to local authority children's social care and for statutory assessments<sup>7</sup> 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.

17. **All** staff should know what to do if a child tells them they are being abused, exploited, or neglected. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the designated safeguarding lead (or a deputy) and local authority children's social care. Staff should never promise a child that they will not tell anyone about a report of any form of abuse, as this may ultimately not be in the best interests of the child.

18. **All** staff should be able to reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting **any** form of abuse and/or neglect. Nor should a victim ever be made to feel ashamed for making a report.

19. **All staff** should be aware that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or are being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having a professional curiosity and speaking to the designated safeguarding lead (DSL) if they

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<sup>7</sup> Detailed information on statutory assessments can be found in Chapter 1 of [Working Together to Safeguard Children](#)

have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication.

## What school and college staff should look out for

### Early help

20. **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 or has certain health conditions and has specific additional needs
- has special educational needs (whether or not they have a statutory Education, Health and Care Plan)
- has a mental health need
- is a young carer
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups or county lines
- is frequently missing/goes missing from care or from home
- is at risk of modern slavery, trafficking, sexual or criminal exploitation
- is at risk of being radicalised or exploited
- has a family member in prison, or is affected by parental offending
- is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse
- is misusing alcohol and other drugs themselves
- has returned home to their family from care
- is at risk of 'honour'-based abuse such as Female Genital Mutilation or Forced Marriage
- is a privately fostered child, or
- is persistently absent from education, including persistent absences for part of the school day.

### Abuse and neglect

21. **All** staff should be aware of indicators of abuse and neglect (see below), understanding that children can be at risk of harm inside and outside of the school/college, inside and outside of home and online. Exercising professional curiosity and knowing what to look for is vital for the early identification of abuse and neglect so that staff are able to identify cases of children who may be in need of help or protection.

22. **All** school and college staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events and cannot be covered by one definition or one label alone. In most cases, multiple issues will overlap with one another.

23. **All** staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual abuse (including harassment and exploitation), domestic abuse in their own intimate relationships (teenage relationship abuse), criminal exploitation, serious youth violence, county lines, and radicalisation.

24. **All** staff should be aware that technology is a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse and other risks online as well as face to face. In many cases abuse and other risks will take place concurrently both online and offline. Children can also abuse other children online, this can take the form of abusive, harassing, and misogynistic/misandrist messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography to those who do not want to receive such content.

25. **In all cases, if staff are unsure, they should always speak to the designated safeguarding lead or a deputy.**

### **Indicators of abuse and neglect**

26. **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

27. **Physical abuse:** a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

28. **Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate

expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

29. **Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education and **all** staff should be aware of it and of their school or college's policy and procedures for dealing with it.

30. **Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## Safeguarding issues

31. **All** staff should have an awareness of safeguarding issues that can put children at risk of harm. Behaviours linked to issues such as drug taking and/or alcohol misuse, deliberately missing education, serious violence (including that linked to county lines), radicalisation and consensual and non-consensual sharing of nude and semi-nude

images and/or videos<sup>8</sup> can be signs that children are at risk. Below are some safeguarding issues all staff should be aware of. **Additional information on these safeguarding issues and information on other safeguarding issues is included in Annex B.**

### Child-on-child abuse

32. **All** staff should be aware that children can abuse other children (often referred to as child-on-child abuse), and that it can happen both inside and outside of school or college and online. **All** staff should be clear as to the school's or college's policy and procedures with regard to child-on-child abuse and the important role they have to play in preventing it and responding where they believe a child may be at risk from it.

33. **All** staff should understand that even if there are no reports in their schools or colleges it does not mean it is not happening, it may be the case that it is just not being reported. As such it is important if staff have **any** concerns regarding child-on-child abuse they should speak to their designated safeguarding lead (or a deputy).

34. It is essential that **all** staff understand the importance of challenging inappropriate behaviours between children, many of which are listed below, that are abusive in nature. Downplaying certain behaviours, for example dismissing sexual harassment as "just banter", "just having a laugh", "part of growing up" or "boys being boys" can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

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

- bullying (including cyberbullying, prejudice-based and discriminatory bullying)
- abuse in intimate personal relationships between children (sometimes known as 'teenage relationship abuse')
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse)
- sexual violence,<sup>9</sup> such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence)

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<sup>8</sup> Consensual image sharing, especially between older children of the same age, may require a different response. It might not be abusive – but children still need to know it is illegal- whilst non-consensual is illegal and abusive. [UKCIS](#) provides detailed advice about sharing of nudes and semi-nude images and videos.

<sup>9</sup> For further information about sexual violence see Part 5 and Annex B.

- sexual harassment,<sup>10</sup> such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party
- consensual and non-consensual sharing of nude and semi-nude images and/or videos<sup>11</sup> (also known as sexting or youth produced sexual imagery)
- upskirting,<sup>12</sup> which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm, and
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

### **Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)**

36. Both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect children, both male and female and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

### **Child Criminal Exploitation (CCE)**

37. Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting, or pickpocketing. They can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to others.

38. Children can become trapped by this type of exploitation, as perpetrators can threaten victims (and their families) with violence or entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals, (particularly older children), and they are not treated as victims

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<sup>10</sup> For further information about sexual harassment see Part 5 and Annex B.

<sup>11</sup> UKCIS guidance: [Sharing nudes and semi-nudes advice for education settings](#)

<sup>12</sup> For further information about 'upskirting' see Annex B.

despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to.

39. It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

### **Child Sexual Exploitation (CSE)**

40. CSE is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing, and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse including via the internet.

41. CSE can occur over time or be a one-off occurrence and may happen without the child's immediate knowledge for example through others sharing videos or images of them on social media.

42. CSE can affect any child who has been coerced into engaging in sexual activities. This includes 16- and 17-year-olds who can legally consent to have sex. Some children may not realise they are being exploited for example they believe they are in a genuine romantic relationship.

### **Domestic Abuse**

43. Domestic abuse can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional. Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn.

### **Female Genital Mutilation (FGM)**

44. Whilst **all** staff should speak to the designated safeguarding lead (or a deputy) with regard to any concerns about female genital mutilation (FGM), there is a specific



**legal duty on teachers.**<sup>13</sup> If a teacher, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher **must** report this to the police.

## **Mental Health**

45. **All** staff should be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

46. Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Education staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. Schools and colleges can access a range of advice to help them identify children in need of extra mental health support, this includes working with external agencies.

47. If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following their child protection policy, and speaking to the designated safeguarding lead or a deputy.

## **Serious violence**

48. **All** staff should be aware of the indicators, which may signal children are at risk from, or are involved with, serious violent crime. These may include increased absence from school or college, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation.

## **Additional information and support**

49. Departmental advice [What to Do if You Are Worried a Child is Being Abused - Advice for Practitioners](#) provides more information on understanding and identifying abuse and neglect. Examples of potential indicators of abuse and neglect are highlighted throughout the advice and will be particularly helpful for school and college staff. The [NSPCC](#) website also provides useful additional information on abuse and neglect and what to look out for.

50. **Annex B contains important additional information about specific forms of**

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<sup>13</sup> Under section 5B(11) (a) of the Female Genital Mutilation Act 2003, “teacher” means, in relation to England, a person within section 141A(1) of the Education Act 2002 (persons employed or engaged to carry out teaching work at schools and other institutions in England).

**abuse and safeguarding issues. School and college leaders and those staff who work directly with children should read Annex B.**

## **What school and college staff should do if they have concerns about a child**

51. Staff working with children are advised to maintain an attitude of **'it could happen here'** where safeguarding is concerned. When concerned about the welfare of a child, staff should always act in the **best interests** of the child.

52. If staff have **any concerns** about a child's welfare, they should act on them **immediately**. See page 22 for a flow chart setting out the process for staff when they have concerns about a child.

53. If staff have a concern, they should follow their own organisation's child protection policy and speak to the designated safeguarding lead (or a deputy).

54. Options will then include:

- managing any support for the child internally via the school's or college's own pastoral support processes
- undertaking an early help assessment,<sup>14</sup> or
- making a referral to statutory services,<sup>15</sup> for example as the child might be in need, is in need or suffering, or is likely to suffer harm.

55. The designated safeguarding lead (or a deputy) should always be available to discuss safeguarding concerns. If in exceptional circumstances, the designated safeguarding lead (or a deputy) is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team and/or take advice from local authority children's social care. In these circumstances, any action taken should be shared with the designated safeguarding lead (or a deputy) as soon as is practically possible.

56. Staff should not assume a colleague, or another professional will take action and share information that might be critical in keeping children safe. They should be mindful

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<sup>14</sup> Further information on early help assessments, provision of early help services and accessing services is in Chapter 1 of [Working Together to Safeguard Children](#).

<sup>15</sup> Chapter 1 of [Working Together to Safeguard Children](#) sets out that the safeguarding partners should publish a threshold document that should include the criteria, including the level of need, for when a case should be referred to local authority children's social care for assessment and for statutory services under section 17 and 47. Local authorities, with their partners, should develop and publish local protocols for assessment. A local protocol should set out clear arrangements for how cases will be managed once a child is referred into local authority children's social care.

that early information sharing is vital for the effective identification, assessment, and allocation of appropriate service provision, whether this is when problems first emerge, or where a child is already known to local authority children's social care (such as a child in need or a child with a protection plan). [Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers](#) supports staff who have to make decisions about sharing information. This advice includes the seven golden rules for sharing information and considerations with regard to the Data Protection Act 2018 (DPA) and UK General Data Protection Regulation (UK GDPR).

57. DPA and UK GDPR **do not** prevent the sharing of information for the purposes of keeping children safe and promoting their welfare. If in any doubt about sharing information, staff should speak to the designated safeguarding lead (or a deputy). Fears about sharing information **must not** be allowed to stand in the way of the need to safeguard and promote the welfare of children.

## Early help assessment

58. If early help is appropriate, the designated safeguarding lead (or a deputy) will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner. Any such cases should be kept under constant review and consideration given to a referral to local authority children's social care for assessment for statutory services if the child's situation does not appear to be improving or is getting worse.

## Statutory children's social care assessments and services

59. **Where a child is suffering, or is likely to suffer from harm, it is important that a referral to local authority children's social care (and if appropriate the police) is made immediately.** Referrals should follow the local referral process.

60. Local authority children's social care assessments should consider where children are being harmed in contexts outside the home, so it is important that schools and colleges provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and enable a contextual approach to address such harm. Additional information is available here: [Contextual Safeguarding](#).

61. The online tool [Report Child Abuse to Your Local Council](#) directs to the relevant local authority children's social care contact number.

## Children in need

62. 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.

### **Children suffering or likely to suffer significant harm:**

63. Local authorities, with the help of other organisations as appropriate, have a duty to make enquiries under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment. This includes **all** forms of abuse and neglect.

### **What will the local authority do?**

64. Within one working day of a referral being made, a local authority social worker should acknowledge its receipt to the referrer and make a decision about the next steps and the type of response that is required. This will include determining whether:

- the child requires immediate protection and urgent action is required
- any services are required by the child and family and what type of services
- the child is in need and should be assessed under section 17 of the Children Act 1989. Chapter one of [Working Together to Safeguard Children](#) provides details of the assessment process
- there is reasonable cause to suspect the child is suffering or likely to suffer significant harm, and whether enquiries must be made, and the child assessed under section 47 of the Children Act 1989. Chapter one of [Working Together to Safeguard Children](#) provides details of the assessment process, and
- further specialist assessments are required to help the local authority to decide what further action to take.

65. The referrer should follow up if this information is not forthcoming.

66. If social workers decide to carry out a statutory assessment, staff should do everything they can to support that assessment (supported by the designated safeguarding lead (or a deputy) as required).

67. If, after a referral, the child's situation does not appear to be improving, the referrer should consider following local escalation procedures to ensure their concerns have been addressed and, most importantly, that the child's situation improves.

## Record keeping

68. **All** concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. This will also help if/when responding to any complaints about the way a case has been handled by the school or college. Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child.

Records should include:

- a clear and comprehensive summary of the concern
- details of how the concern was followed up and resolved, and
- a note of any action taken, decisions reached and the outcome.

69. If in doubt about recording requirements, staff should discuss with the designated safeguarding lead (or a deputy).

## Why is all of this important?

70. It is important for children to receive the right help at the right time to address safeguarding risks, prevent issues escalating and to promote children's welfare. Research and serious case reviews have repeatedly shown the dangers of failing to take effective action.<sup>16</sup> Further information about serious case reviews can be found in Chapter four of [Working Together to Safeguard Children](#). Examples of poor practice include:

- failing to act on and refer the early signs of abuse and neglect
- poor record keeping
- failing to listen to the views of the child
- failing to re-assess concerns when situations do not improve
- not sharing information with the right people within and between agencies
- sharing information too slowly, and
- a lack of challenge to those who appear not to be taking action.

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<sup>16</sup>An analysis of serious case reviews can be found at [gov.uk/government/publications/analysis-of-serious-case-reviews-2014-to-2017](https://www.gov.uk/government/publications/analysis-of-serious-case-reviews-2014-to-2017).

## What school and college staff should do if they have a safeguarding concern or an allegation about another staff member

71. Schools and colleges should have processes and procedures in place to manage **any** safeguarding concern or allegation (no matter how small) about staff members (including supply staff, volunteers, and contractors).

72. If staff have a safeguarding concern or an allegation is made about another member of staff (including supply staff, volunteers, and contractors) **harming or posing a risk of harm to children**, then:

- this should be referred to the headteacher or principal
- where there is a concern/allegation about the headteacher or principal, this should be referred to the chair of governors, chair of the management committee or proprietor of an independent school, and
- in the event of a concern/allegation about the headteacher, where the headteacher is also the sole proprietor of an independent school, or a situation where there is a conflict of interest in reporting the matter to the headteacher, this should be reported directly to the local authority designated officer(s) (LADOs). Details of your local LADO should be easily accessible on your local authority's website.

73. If staff have a safeguarding concern or an allegation about another member of staff (including supply staff, volunteers or contractors) that **does not** meet the harm threshold, then this should be shared in accordance with the school or college low-level concerns policy. Further details can be found in Part four of this guidance.

## What school or college staff should do if they have concerns about safeguarding practices within the school or college

74. All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school's or college's safeguarding regime and know that such concerns will be taken seriously by the senior leadership team.

75. Appropriate whistleblowing procedures should be put in place for such concerns to be raised with the school's or college's senior leadership team.

76. Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other whistleblowing channels are open to them:

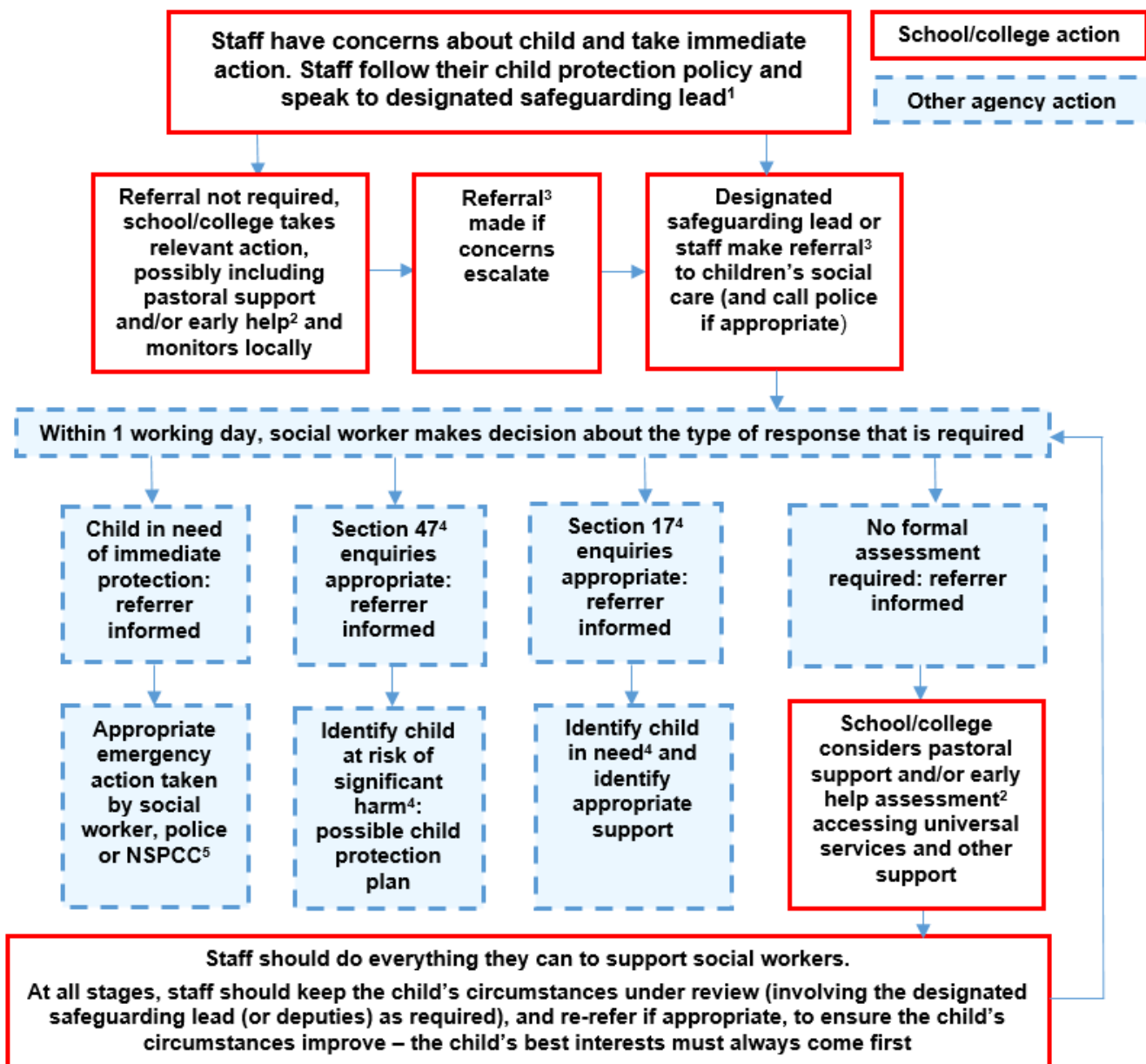
- general guidance on whistleblowing can be found via: [Advice on Whistleblowing](#)
- the [NSPCC's what you can do to report abuse dedicated helpline](#) is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally, or have concerns about the way a concern is being

handled by their school or college. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).<sup>17</sup>

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<sup>17</sup> Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain, Road, London EC2A 3NH.

## Actions where there are concerns about a child



<sup>1</sup> In cases which also involve a concern or an allegation of abuse against a staff member, see Part four of this guidance.

<sup>2</sup> Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working Together to Safeguard Children](#) provides detailed guidance on the early help process.

<sup>3</sup> Referrals should follow the process set out in the local threshold document and local protocol for assessment. Chapter one of [Working Together to Safeguard Children](#).

<sup>4</sup> Under the Children Act 1989, 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. Under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child is suffering or likely to suffer significant harm, it has a duty to make enquiries to decide whether to take action to safeguard or promote the child's welfare. Full details are in Chapter one of [Working Together to Safeguard Children](#).

<sup>5</sup> This could include applying for an Emergency Protection Order (EPO).



## Staff Disqualification Declaration

**School**      **Private Tuition Services Ltd T/A Best Tutors**

In October 2014, the Department for Education (DfE) issued an update to its Statutory Guidance “Keeping Children Safe”.  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/362919/Keeping\\_children\\_safe\\_in\\_educat\\_i\\_on\\_childcare\\_disqualification\\_requirements\\_-\\_supplementary\\_advice.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/362919/Keeping_children_safe_in_educat_i_on_childcare_disqualification_requirements_-_supplementary_advice.pdf)

This update requires schools which dealing the children under the age of 8, to ensure that staff and volunteers working in these settings are not disqualified from doing so under the Childcare (Disqualification) Regulations 2009. Reference: <http://www.legislation.gov.uk/uksi/2009/1547/schedule/3/made>

A person may be disqualified through

1. having certain orders or other restrictions placed upon them
2. having committed certain offences
3. living in the same household as someone who is disqualified by virtue of 1 or 2 above (this is known as disqualification by association)

**You are required therefore to sign the declaration below confirming that you are not disqualified under those Regulations from working in this school.**

If you fail to complete and return the form, this will be regarded as a disciplinary matter for staff, which may result in dismissal and in the case of volunteers, will mean that you can no longer work at the school.

A disqualified person is not permitted to continue to work in a setting providing care for children under age 8, unless they apply for and are granted a waiver from OFSTED.

Reference: <http://www.ofsted.gov.uk/resources/applying-waive-disqualification-early-years-and-childcare-providers>.

<b>Name &amp; Employee ID</b>		<b>Job Title &amp; Department</b>	
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Please circle one option for every question

<b>Section 1 – Orders or other restrictions</b>	
Have any orders or other determinations related to childcare been made in respect of you ?	YES / NO
Have any orders or other determinations related to childcare been made in respect of a child in your care?	YES / NO
Have any orders or other determinations been made which prevents you from being registered in relation to child care, children’s homes or fostering?	YES / NO
Are there any other relevant orders, restrictions or prohibitions in respect of you as set out in the Schedule 1 of the Regulations? Available from the school office or at the link below: <a href="http://www.legislation.gov.uk/uksi/2009/1547/schedule/1/made">http://www.legislation.gov.uk/uksi/2009/1547/schedule/1/made</a>	YES / NO
Are you barred from working with Children (Disclosure and Barring (DBS))?	YES / NO
Are you prohibited from Teaching?	YES / NO

<b>Section 2 – Specified and Statutory Offences</b>	
Have you ever been cautioned, reprimanded, given a warning for or convicted of:	

<input type="checkbox"/> Any offence against or involving a child? (A child is a person under the age of 18)?	YES / NO
<input type="checkbox"/> Any violent or sexual offence against an adult?	YES / NO
<input type="checkbox"/> Any offence under the Sexual Offences Act?	YES / NO
Any other relevant offence? Available from the school office or at the links below: <a href="http://www.legislation.gov.uk/ukxi/2009/1547/schedule/2/made">http://www.legislation.gov.uk/ukxi/2009/1547/schedule/2/made</a> <a href="http://www.legislation.gov.uk/ukxi/2009/1547/schedule/3/made">http://www.legislation.gov.uk/ukxi/2009/1547/schedule/3/made</a>	YES / NO
Have you ever been cautioned, reprimanded, given a warning for or convicted of any similar offence in another country?	YES / NO
<b>Section 3 – Disqualification by association</b>	
To the best of your knowledge, is anyone in your household* disqualified from working with children under the Regulations? *household – includes family, lodgers, house-sharers, household employees This means does anyone in your household have an Order or Restriction against them as set out in Section 1 or have they been cautioned, reprimanded, given a warning for or convicted of any offence in Section 2.	YES / NO
<b>Section 4 – Provision of Information</b>	
If you have answered YES to any of the questions above you should provide details below in respect of yourself, or where relevant the member of your household. You may supply this information separately if you so wish, but you must do so without delay.	
Details of the order, restriction, conviction, caution etc.	
The date(s) of these	
The relevant court(s) or body(ies)	
You should also provide a copy of the relevant order, caution, conviction etc. In relation to cautions/convictions a DBS Certificate may be provided.	
<b>Section 4 - Declaration</b>	
In signing this form, I confirm that the information provided is true to the best of my knowledge and that:	
<input type="checkbox"/> I understand my responsibilities to safeguard children.	
<input type="checkbox"/> I understand that I must notify my headteacher immediately of anything that affects my suitability including any cautions, warnings, convictions, orders or other determinations made in respect of me or a member of my household that would render me disqualified from working with children	
Signed	
Print Name	Date