



PATTERDALE CE PRIMARY SCHOOL

PROCEDURES FOR PROTECTING CHILDREN WHEN CONTRACTORS ARE WORKING IN EDUCATIONAL SETTINGS

CONTENTS

1. Scope	1
2. Objectives	1
3. Principles and Hierarchy of Child Protection Measures	1
3.1 Segregation of Contractor’s Workplace	1
3.2 Supervision	2
3.3 Essential work which takes place when pupils are present	2
3.4 Contractor Safe Practice	2
3.5 Child Protection Policies and procedures	2
4. Disclosure and Barring Service (DBS) checks	2
5. Code of Conduct for Contractors	3
6. Identification of Contractor Staff	4
7. Risk Assessment	4
7.1 Child Protection Risk Assessment	4

Appendix A – Code of Conduct for adults visiting or working on a school site

Appendix B – Use of Contractors Risk Assessment – Child Protection

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Procedures for Protecting Children when Contractors are Working in Educational Settings

1. Scope

This guidance is for use in schools and other educational settings where the Local Authority, school or setting employs contractors for projects such as new construction, refurbishment and routine or emergency maintenance. The same principles apply where volunteer labour is used.

For the purposes of these procedures, safeguarding includes the “protection of children from maltreatment, preventing impairment of children’s health or development, ensuring 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” (Keeping Children Safe in Education – September 2018).

These procedures deal with the protection of children and not with matters of health and safety which are subject to the Health and Safety at Work etc. Act 1974 and specifically the Construction, Design and Management Regulations 2015 and associated guidance. Information and guidance relating to these issues can be found on the KAHSC website.

2. Objectives

The objective of these procedures is to ensure that effective measures are in place to protect children when construction work, including routine maintenance and emergency repairs are undertaken at the school or setting.

The Department for Education has issued statutory guidance for those who are employed to work with children (Keeping Children Safe in Education: statutory guidance for schools and colleges - September 2018. Paragraphs 169 - 172 of KCSiE summarise the precautions that must be in place where contractors are engaged, when DBS checks are required and the need for supervision. These paragraphs are reproduced in section 4 of these procedures.

To be effective, child protection measures must be agreed and introduced by the contractor and the Head teacher of the school or setting where the work is taking place. This can be achieved using a risk assessment. The Designated Safeguarding Lead (where this role is not allocated to the Head teacher) must be involved in the process to advise on and monitor the child protection arrangements.

3. Principles and Hierarchy of Child Protection Measures

3.1 Segregation of Contractor’s Workplace

The risk of harm to pupils can be eliminated if contact between the contractor, their staff and the pupil population can be avoided altogether by the normal segregation of work areas for health and safety reasons i.e. apply the same precautions required by health and safety law, and by providing separate and designated routes to and from the work area. This is easier to achieve in a situation where large-scale contracts and building work is taking place and is separate from the normally occupied school building or where an area can be completely cordoned off to pupils.

Segregation can be achieved by physical means, by time or by a combination of both.

For larger or extensive building projects, physical separation would normally be achieved by the contractor’s staff working within secure areas behind fencing, hoardings, barriers etc. Any need for vision screening needs to be considered.

Outside such secure areas, separation can be maintained by restricting the movements of the contractor’s staff to specific areas and at specific times to avoid unsupervised contact at break times and the beginning and end of the school day. A senior representative of the contractor should produce a marked-up plan that clearly differentiates between the areas under the control of the contractor and those under the control of the school staff. The plan should also provide details of the times that contractor access will be permitted to different areas of the site. The plan should be agreed as part of the pre-start meeting and be kept up to

date through regular communication between the contractor and the Head teacher or his/her representative.

For routine maintenance visits or for emergency repairs lasting less than a day, physical separation can be achieved by limiting the movements of contractors to within clearly defined areas and specific times. Where any contact between the contractor's staff and pupils is likely, the contractor must be supervised by a member of school staff.

Where works are undertaken outside normal school hours, then child protection measures must also take account of any pupil attendance outside of normal hours, e.g. extended provision or wraparound care and activities taking place at the school premises during school holidays which may be under the control of an external provider.

3.2 Supervision

Where measures are in place to segregate work areas but there remains a possibility of contact between the contractor's staff and pupils, there must always be supervision by a member of staff from the school.

The need for supervision can be limited to the times when contact is likely to occur, e.g. at break times, class changeover times and at the beginning and end of the day. It is not necessary to monitor the building works themselves (unless doing so for health and safety reasons), only any contact that might take place between the contractor's staff and pupils.

3.3 Essential work which takes place when pupils are present

Normally, contractors should work within a segregated area, for health and safety reasons as well as for child protection. If this cannot be achieved then, ideally, the contractor should come back when the pupils are not there.

If it is unavoidable that work is carried out when the pupils are in school, then there must be supervision of children by a member of school staff. The contractor's supervisor should be DBS checked (enhanced disclosure without a barred list check), take responsibility for and supervise any of his/her staff who are not DBS checked to the required Enhanced standard.

3.4 Contractor Safe Practice

It is anticipated that a reputable contractor will have considered the above issues, and may well have developed their own safe practice procedures when working at settings where children are present.

If the contractor has no person who is DBS checked to an Enhanced level, any work should be kept to a minimum during the school day e.g. emergency plumbing and supervised by a member of staff.

Appendix A provides a model Code of Conduct for contractor's employees and should be followed as a minimum (an editable 'Word Version' is available on the KAHSC website at: <https://www.kymallanhsc.co.uk/document/downloadaddocument/9144>).

3.5 Child Protection Policies and procedures

Wherever possible, the contractor must provide the setting with its Policy and procedures for protecting children at the places where they work.

In turn, the school must provide the contractor with a copy of their Child Protection Policy and discuss this so that it is understood.

The Head teacher and the contractor must discuss all issues which they consider give rise to potential child protection risks and reach an agreement as to how these will be managed e.g. use of toilet facilities whilst on site, use of appropriate language etc.

4. Disclosure and Barring Service (DBS) checks

The following is an extract from 'Keeping Children Safe in Education' (September 2018 version):

- “169. Schools and colleges should ensure that any contactor, or any employee of the contractor, who is to work at the school or college, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate for Regulated Activity (including barred list information). For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required. In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across a number of sites.
170. Under no circumstances should a contractor in respect of whom no checks have been obtained be allowed to work unsupervised, or engage in regulated activity. Schools and colleges are responsible for determining the appropriate level of supervision depending on the circumstances.
171. If a contractor working at a school or college is self-employed, the school or college should consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.
172. Schools and colleges should always check the identity of contractors and their staff on arrival at the school or college.”

Work in schools with the opportunity for contact with children is regarded as regulated activity but only if the work is done regularly.

Work is defined as ‘Regular’ if the person carrying out the work does so at any time on 4 or more days in any period of 30 days. This is regardless of whether the individual works in one school or across several school sites. For example, a fire alarm engineer visiting 5 different schools in a week, left unsupervised with the opportunity to have face to face contact with unsupervised children would require an enhanced disclosure (without a barred list check).

DBS certificates are not required where the individual is supervised by a member of staff or where the pupils are supervised by a member of school staff. In this case, there must be no opportunity for the contractor to have face to face contact with an unsupervised child. DBS checks of the contractor’s employees are not required where there is total segregation of the employees from the pupils e.g. contracted work during a school holiday period.

It is not necessary to have sight of the Certificate each time an individual attends school. A letter from the contractor confirming that all staff have been subject to an Enhanced Disclosure is acceptable and the date of the letter can be recorded on the SCR. This is particularly the case where schools have contracts with a company e.g. fire alarm testing, heating engineers etc.

5. Code of Conduct for Contractors

These procedures include a sample ‘Code of Conduct’ (Appendix A – *also available as an editable ‘Word’ version at: <https://www.kymallanhsc.co.uk/document/downloaddocument/9144>*) which can be given to contractors to inform them of what is expected of their employees and to enable any inappropriate behaviour to be recognised and challenged. Failure to observe the Code may result in the school requiring the contractor to exclude a member of their staff from the premises and the job in hand.

The Code of Conduct must be:

- issued to contractors and others working temporarily in the school when quotations or tenders are invited;
- stated as a condition of any order for maintenance work or building contract.

Additionally, where appropriate, the code should be:

- highlighted at any pre-start meeting;
- posted on the building site;
- included as part of the contractor’s site safety briefings;
- issued to contractors’ staff in the form of a leaflet – it is also available in poster form for display in the welfare facilities for larger projects (Appendix A).

6. Identification of Contractor Staff

For large or lengthy projects, employees of the contractor and any sub-contractors should be clearly identifiable and the method of identification should be agreed at a pre-start meeting. Typical methods include:

- ID badges, preferably with photograph, which must be worn whilst on site;
- Contractor's own branded workwear.

For smaller or one-off works such as maintenance, the contractor's ID should be checked when they first arrive in the school reception to ensure that the individual is who they say they are and the person you were expecting. Again, a letter from the Contractor confirming that staff have DBS checks will be sufficient for those who visit the school regularly.

Identification should only ever be supplementary to the principle safeguarding measures of segregation and/or supervision.

7. Risk Assessment

The risk assessment should take account of the likely amount of contact that the contractor's staff might have with pupils, given the measures to segregate their work space and/or to supervise either the contractor's staff or pupils.

The model Risk Assessment – Use of Contractors – Child Protection is provided at **Appendix B** and is available to download separately from the KAHSC website at:

<https://www.kymallanhsc.co.uk/document/downloadaddocument/9143>.

Where a contractor's representative (e.g. foreman or site agent) needs to enter the establishment on a daily basis to liaise with establishment staff, then the normal protocol for visitors should be followed.

7.1 Child Protection Risk Assessment

Child protection measures should be a scheduled item for a pre-start meeting for large projects and agreed with the contractor well in advance of the works starting. This is to enable sufficient time for the school or setting staff to be briefed on the supervision required and on the access arrangements to be put in place for the contractor and their staff and any sub-contractors.

Where the works are being arranged by the LA, officers should discuss any child protection risks with the Head teacher or nominated person and how the risks may be controlled.

Parents should be informed of the works where these are planned and evidence should be made available on request about how children are being protected.

All pupils must be advised of any potential hazards and risks. They should be discouraged from any direct contact with the contractors and advised to report any concerns to a member of staff.

Observe this Code at all times.

Remember that your actions could be misinterpreted however well they are intentioned.

If you have any site concerns about children and child protection then please speak to your employer, or a senior manager of the establishment that you are working in.

Keep yourself and our children safe!

Produced by:



Kym Allan Safeguarding, Health &
Safety Consultants Ltd.
3-4 Citadel Row
Carlisle
CA3 8SQ

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Child Protection

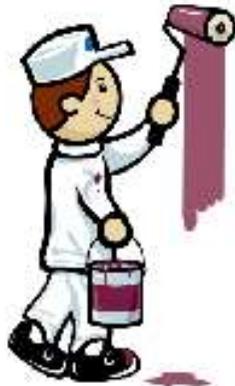
**Code of Conduct for
adults visiting or working
on a school site**

INSERT SCHOOL LOGO HERE

Keeping Who Safe?

Adults visiting or working on a school site play an important part in the life of a school, whether helping to build or maintain the building or visiting as part of the school's wider community.

We can all play a part in keeping children* safe whilst working on or visiting a school site, regardless of whether you are directly employed by the school, working as a contractor, sub-contractor or in any other role in school.



Keeping children safe is covered by the statutory DfE guidance 'Keeping Children Safe in Education'.

Our actions can sometimes be perceived in a way that was not intended. We want to promote safe working practices for everyone on a school site, whatever your job.

We must also take steps to keep ourselves safe. To keep yourself safe from possible allegations, please follow this Code.....

*Throughout this Code a child is defined as anyone under the age of 18.

Do

- ✔ avoid contact with children;
- ✔ be aware that verbal interaction with children may be interpreted by them as offensive or as harassment, even if this was not your intention;
- ✔ report any unacceptable behaviour from a child;
- ✔ be aware that contact made outside of the school environment as a result of you coming into contact with a child whilst you are on a school site, may have an impact on your employment;
- ✔ stay within the agreed work area and access routes and obtain permission if you need to go outside agreed areas;
- ✔ keep school staff informed of where you are and what you are doing;
- ✔ dress appropriately—shirts to be worn at all times;
- ✔ follow the establishments policies and procedures and the Contractors Safety Information sheet.

Don't....

- ✘ be in contact with children without supervision;
- ✘ instigate verbal or physical contact with children (this applies both on and off site) unless it is appropriate and a part of an agreed reason for your visit;
- ✘ respond to verbal or physical contact from children. If this occurs, or you have any other concerns about behaviour then report it immediately to your supervisor or a member of school staff;
- ✘ give any personal information to any child, for example your name, address, telephone number or e-mail address, this includes access to your social networking site;
- ✘ accept or respond to a child attempting to give you personal information, for example their name, address, telephone number, e-mail address or access to a social networking site;
- ✘ accept physical or verbal abuse from a child. **DO NOT** respond yourself, but report it immediately to your supervisor or a member of school staff;
- ✘ use any school facilities e.g. toilets, changing rooms etc. unless you have been previously authorised to do so;
- ✘ use profane or inappropriate language or express prejudicial or extremist views;
- ✘ use mobile phones or cameras to take or record images of children or others in school.



Risk Assessment

Activity:	Contractors on site – Child Protection	Location(s):	
Work being done:		Contractor/Company/Volunteer Name:	
✓ or ✗	The contractor will be working with children on the premises.	✓ or ✗	The contractor will be working on the site but not with children
✓ or ✗	The contractor will be working on the site wholly outside normal school hours when no children will be present	✓ or ✗	Other: _____
Assessor:		Ref No.:	
Date:		Proposed Review Date:	
Individuals at risk:	Children, especially those with SEND, and vulnerable adults.		
The risks:	Inappropriate contact with children including exposure to material not suitable to their age, culture etc. (conversation, images, reading materials, music etc.), the building of unhealthy relationships, inappropriate touch. Allegations against contractors.		

Child Protection Risks/Situations	Control Measures What are we doing now to safeguard children?	Notes/Additional Control Measures What more do we need to explain/do?	Residual Risk
A contractor being on site while children are present irregularly or as a one-off event, especially when it is unlikely they will have access to the children.	<input type="checkbox"/> All contractors and their staff will be required to report to the school main reception on arrival. In the case of a large project where the work is segregated from the school site, arrangements will be made for the contractor’s staff to be made aware of the boundaries for the work area and arrangements made for them to report to the site office. <input type="checkbox"/> All contractors and their staff will be issued with the ‘Child Protection Code of Conduct for adults visiting or working on a school site’. <input type="checkbox"/> Wherever possible, maintenance work will be undertaken outside normal school hours when there are no children present. <input type="checkbox"/> Where the above cannot be achieved, work areas will be segregated so that contractors do not have the opportunity for unsupervised contact with children. <input type="checkbox"/> Contractors who do not hold a DBS Enhanced Disclosure will be supervised by another contractor or a setting employee who does. <input type="checkbox"/> If an appropriate supervisor is not available for the contractor, they will never be given unsupervised access to children i.e. the children will be appropriately supervised instead.		

Child Protection Risks/Situations	Control Measures What are we doing now to safeguard children?	Notes/Additional Control Measures What more do we need to explain/do?			Residual Risk
A contractor being on site regularly* with the opportunity for contact with children. * Work is defined as 'regular' if the person carrying out the work does so at any time on 4 or more days in any period of 30 days.	<input type="checkbox"/> Contractor will be issued with the 'Child Protection Code of Conduct for adults visiting or working on a school site'. <input type="checkbox"/> The contractor will hold a suitable Enhanced Disclosure (without a barred list check). <input type="checkbox"/> The contractor will undergo sufficient site induction to include child protection procedures and expected behaviour (security procedures, which toilets to use, not to leave anything attractive to children unattended and within their reach etc.).				
Contractor on site where they are likely to have unsupervised access to children.	<input type="checkbox"/> Contractor will be issued with the 'Child Protection Code of Conduct for adults visiting or working on a school site'. <input type="checkbox"/> Contractor will hold an Enhanced Disclosure for Regulated Activity (with a barred list check). This will be confirmed either by letter from the employing organisation or by having sight of the Certificate when the individual first presents at school.				
	<input type="checkbox"/>				
Further Action Required		Date Action Completed	Date RA Reviewed	Significant Changes Y/N	Shared with Staff Date or N/A
This risk assessment must be read and followed in conjunction with any other applicable risk assessments. Contractors details along with the date of the letter from the employer will be recorded on the Single Central Record either under the 'contractors					