

Earlscliffe (Sussex Summer Schools Ltd)

SAFEGUARDING CHILDREN AND SAFER RECRUITMENT IN EDUCATION – GUIDANCE ON BUILDING CONTRACTORS WORKING IN SCHOOLS

1.0 SUMMARY

This guidance is to ensure the effective safeguarding of children where building contractors are used in schools or at premises caring for children or vulnerable adults.

2.0 SCOPE

This guidance is intended for use when we employ building contractors to construct new accommodation, undertake routine maintenance or emergency repairs.

3.0 OBJECTIVES

The objective of this guidance is to ensure that effective systems are put in place to safeguard children when building works, routine maintenance and emergency repairs are undertaken at Earlscliffe.

4.0 INTRODUCTION

All local authorities, schools and further education (FE) colleges in England have a responsibility to safeguard and promote the welfare of children and vulnerable adults in its care*.

The Department for Education and Skills have issued guidance in its document:

‘Safeguarding Children and Safer Recruitment in Education’

(DfES Publications: www.everychildmatters.gov.uk / www.teachernet.gov.uk)

The guidance is mainly concerned for those who are employed to work with children and vulnerable adults.

However, it also advises on those who come into contact with children on an ad hoc or irregular basis for short periods of time such as building contractors, maintenance companies, delivery personnel and the like.

It cites examples of good practice where contact is on an ad hoc or irregular basis and indicates where Criminal Records Bureau checks are not required (Appendix 1).

This guidance considers what arrangements should be employed where building contractors are employed to work at their premises.

* the Children Acts 1989 & 2004; the Education Act 2002

5.0 RESPONSIBILITIES

The Head Teacher and DSL are responsible for the safeguarding of the children and vulnerable adults in their care and they shall be responsible for ensuring that adequate measures are in place to safeguard pupils whilst contractors are on the premises.

6.0 SAFEGUARDING MEASURES

The aim of the safeguarding measures will be to manage the risk of harm to pupils and vulnerable adults. The measures adopted shall be proportionate to the risk.

Safeguarding measures to be considered will include the following:

1) Segregate

To avoid contact* between contractors and pupils as far as possible

2) Supervise

To supervise any contact* that does take place with a member of staff or a suitably vetted volunteer

3) Code of conduct

To require contractors to observe a code of conduct

4) Regulate Access

To regulate access to the premises

5) Checks

To undertake checks where appropriate.

* 'Contact' in this context shall be taken to mean any opportunity for contractors' staff to converse with pupils or to communicate with them in any other way, e.g. by passing messages, without a member of staff or suitably vetted volunteer being able to monitor the contact and intervene where necessary.

6.1 Segregate

The risk of harm to pupils can be managed if contact between contractors' staff and pupils can be avoided altogether.

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

For larger building projects lasting a number of weeks physical separation would normally be achieved by the contractors' staff working within secure areas behind fencing, hoardings, barriers and the like where pupils would be excluded for routine health and safety concerns.

Outside such secure areas separation can be maintained by confining the movements of the contractors' staff to specific areas and to specific times so as to avoid contact at break times and at the beginning and at the end of the school day. In this context a marked up plan agreed with the contractor to show where and at what times during the day access will be permitted would be useful (Appendix 2).

For routine maintenance visits or for emergency repairs lasting less than a day physical separation can be achieved by simply confining the movements of contractors to within clearly defined areas and specific times, using the principles illustrated in Appendix 2. Should any contact between the contractors' staff and pupils occur then it should be supervised by a member of staff or suitably vetted volunteer.

Where works are to be undertaken outside school hours then safeguarding measures should be implemented for any pupil attendance in school outside normal school hours.

6.2 Supervise

Measures should always be instigated to segregate contractors' staff from pupils as much as is possible. However, where such measures to segregate are in place but some contact may occur between contractors' staff and pupils then any such contact should always be supervised by a member of staff or suitably vetted volunteer.

As noted above, 'contact' shall be taken to mean any opportunity for contractors' staff to converse with pupils or to communicate with them in any other way, e.g. by passing messages, without a member of staff or suitably vetted volunteer being able to monitor the contact and to intervene where necessary.

'Supervise' will be taken to mean the ability for a member of staff or suitably vetted volunteer to monitor conversation or communication of any kind between contractors' staff and pupils and to intervene where necessary.

The requirement to supervise 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 at the end of the school day. It is not necessary to monitor the building works themselves, only any contact that might take place between the contractors' staff and pupils.

6.3 Code of Conduct

A code of conduct should be used to inform contractors what might be considered inappropriate behaviour.

It will enable any inappropriate behaviour to be recognized and challenged by all concerned.

A suggested code of conduct for contractors would be:

- a) avoid contact with children

- b) never be in contact with children without school supervision
- c) stay within the agreed work area and access routes
- d) obtain permission if you need to go outside the agreed work area or access routes.
- e) keep staff informed of where you are and what you are doing
- f) do not use profane or inappropriate language
- g) dress appropriately – shirts to be worn at all times
- h) observe the code at all times
- i) remember your actions no matter how well intentioned could be misinterpreted

Any order for works or building contract should be let with a clear condition that failure to observe the code will entitle Earlscliffe to exclude a member of a contractors' staff from the premises.

To ensure the effectiveness of any code it shall be:

- a) issued to contractors when quotations or tenders are invited
- b) stated as a condition on any order for works or building contract

Additionally, where appropriate, the code should be:

- c) highlighted in any pre- start meetings
- d) posted on the building site
- e) included as part of any contractors site safety briefings
- f) issued to contractors staff in the form of a card (the 'Blue Card' Appendix 3)

6.4 Identify

To ensure that as far as possible only bona fide personnel are afforded access, a means of identification could be agreed with contractors in advance of any works taking place.

The means by which contractors' staff are identified will be determined in each case to suit the location and nature of the work being undertaken.

Typical methods may include:

- a) ID badges

- b) Photo ID
- c) Branded workwear
- d) Signing in book

Identification should only ever be used as a supplementary measure to the principal safeguarding measures of segregation and supervision.

6.5 Checks

Whether or not contractors' staff should undergo a CRB check should be determined by a risk assessment.

The risk assessment should take account of the likely amount of contact that the contractors' staff might have with pupils, given that measures to segregate and to supervise should already be in place.

Accordingly CRB checks would not be required where there would be no contact between contractors' staff and pupils; for example where a building was being built on a separate site, or where the works were to be undertaken outside school hours or during school holidays.

Similarly, CRB checks would not normally be required for contractors' staff working on site building an extension or undertaking repairs where they are segregated from pupils and that any contact that did take place was supervised by the school.

However, where a member of the contractors' staff is likely to have either frequent or prolonged contact with pupils then it may be appropriate to obtain a check in addition to measures to supervise any contact. For example, a check may be appropriate where a contractors' representative (e.g. foreman, site manager, etc.) needs to liaise with school staff on a day to day basis.

A check may also be considered appropriate in the case of a contractors' representative where such staff are responsible for ensuring compliance with other safeguarding measures such as segregation, identification, code of conduct etc.

Similarly, where contractors' staff regularly visit schools to undertake routine maintenance (boilers, electrical tests and the like) then a check may be deemed appropriate in addition to measures to supervise any contact.

Appendix 4 gives guidance as to when such checks may be deemed appropriate but is in no way comprehensive.

However, under no circumstances should a member of a contractor's staff be allowed to have any unsupervised contact with pupils, even those who have undergone a CRB check.

It should be noted that contractors engaged have not been vetted in any way and CRB checks are not routinely requested.

7.0 PLANNING

The safeguarding measures should be determined and agreed with the contractor well in advance of the works starting on site. This will enable sufficient time for school staff to be briefed on the supervision required and on the access arrangements agreed with contractor.

Where the works are being arranged the School Manager shall determine what measures should be implemented. This should be done at the beginning of the project to ensure that they can be included in the building contract.

8.0 SUMMARY

Wherever any type of building work is undertaken of any duration, safeguarding measures shall always be implemented and include arrangements to segregate pupils from contractors' staff as far as reasonably practicable and for any contact between them to be supervised by a member of staff or suitably vetted volunteer.

Other steps such as codes of conduct, identification and checks should be considered as supplementary measures where appropriate.

APPENDIX 1

Copy extract from 'Safeguarding Children and Safer Recruitment in Education'
(DfES Publications: www.everychildmatters.gov.uk / www.teachernet.gov.uk):

Building Works:

4.74

Children should not be allowed in areas where builders are working, for health and safety reasons, so these workers should have no contact with children. However schools and FE colleges should ensure that arrangements are in place with contractors, via the contract where possible, to make sure that any of the contractors' staff that come into contact with children undergo appropriate checks.

See paragraph 4.23 for emergency call out contractors.

Emergency call out contractors / service visits:

4.23

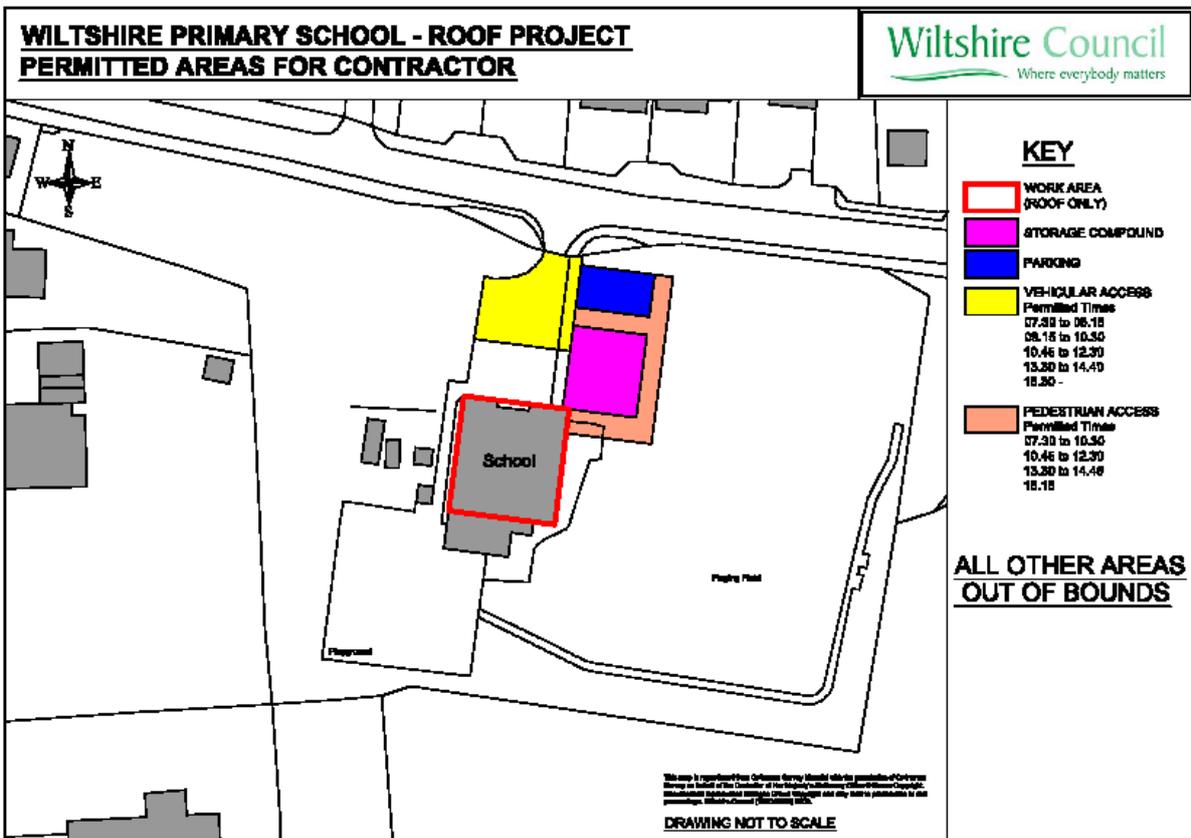
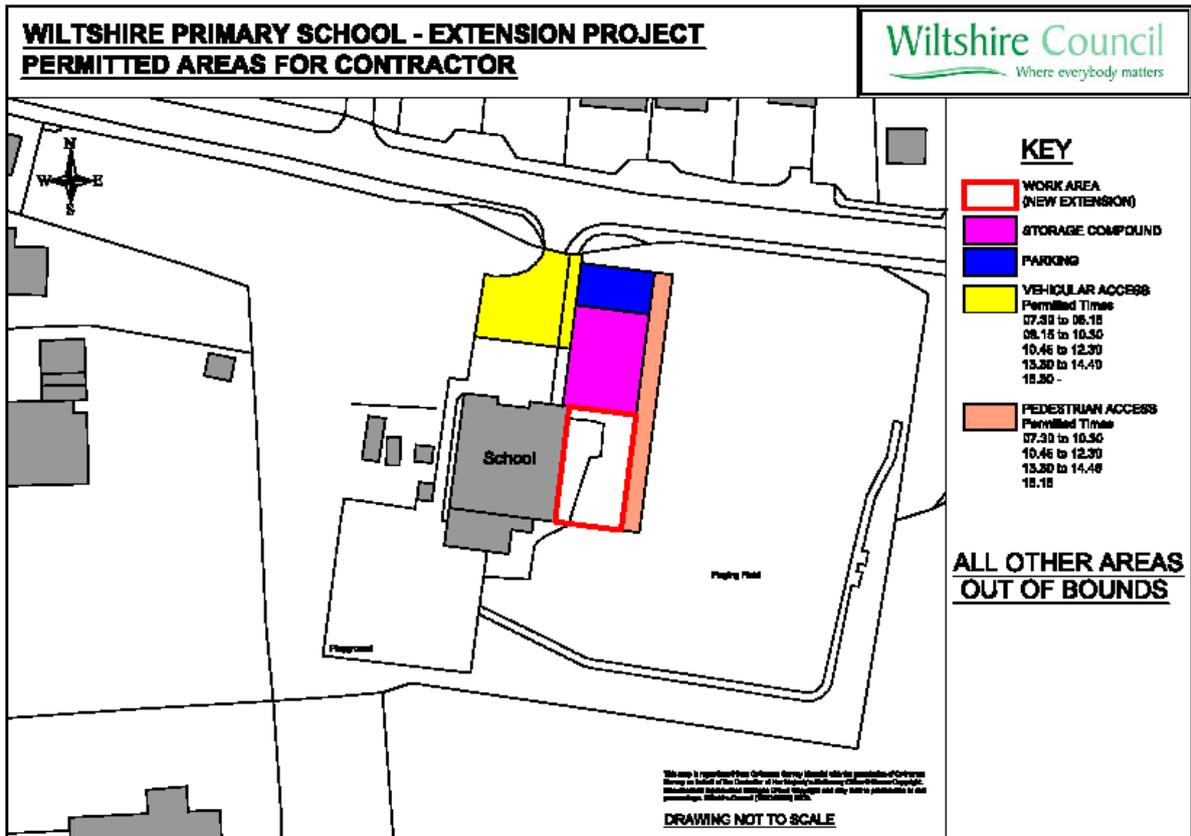
It is not necessary to obtain a CRB Disclosure for visitors who will only have contact with children on an ad hoc basis or for irregular and short periods of time, or secondary pupils undertaking voluntary work or work experience in other schools. However, it is good practice to ensure that visitors sign in and out, and are escorted whilst on the premises by a member of staff or appropriately vetted volunteer. Examples of people who do not need to apply for a CRB Disclosure include:

- visitors who have business with the head teacher, principal or other staff or who have brief contact with children with a member of staff present;

visitors or contractors who come on site only to carry out emergency repairs or service equipment and who would not be expected to be left unsupervised on school or FE college premises;
- volunteers or parents who only accompany staff and children on one off outings or trips that do not involve overnight stays, or who only help at specific one off events e.g. a sports day, school fête, college open day;
- secondary pupils on Key Stage 4 work experience in other schools, FE colleges or nursery classes; secondary pupils undertaking work in another school or FE college as part of voluntary service, citizenship or vocational studies; or Key Stage 5 or sixth form pupils in connection with a short careers or subject placement. In these cases the school placing the pupil should ensure that s/he is suitable for the placement in question;
- people who are on site before or after school hours and when children are not present

APPENDIX 2

EXAMPLE SEGREGATION PLANS



APPENDIX 3

CONTRACTORS IN SCHOOLS CODE OF CONDUCT

'BLUE CARD'

CONTRACTORS IN SCHOOLS CODE OF CONDUCT

- avoid contact with children
- never be in contact with children without school supervision
- stay within the agreed work area and access routes
- obtain permission if you need to go outside the agreed work area or access routes
- keep staff informed of where you are and what you are doing
- do not use inappropriate or profane language
- dress appropriately – shirts to be worn at all times
- observe this code at all times
- remember - your actions no matter how well intentioned could be misinterpreted

APPENDIX 4: CHECKS ON CONTRACTORS WORKING IN SCHOOLS

CONTACT WITH PUPILS	RECOMMENDED MEASURES	DESIGNATED PERSON RESPONSIBILITIES
<p>Nil [e.g. works undertaken on a separate site, during out of hours or in school holiday periods]</p>	<ul style="list-style-type: none"> • contractors' staff to comply with code of conduct • contractors' staff to sign in and out of premises • contractors' staff to wear Company ID at all times • no CRB required 	<ul style="list-style-type: none"> • undertakes a risk assessment • requires contractor to adopt code of conduct • requires to contractor sign in and out of premises • requires contractor to wear ID on site
<p>Minimal [where contractors' staff are segregated from pupils and any contact that does occur is supervised e.g. new build and major repair projects]</p>	<ul style="list-style-type: none"> • segregate • supervise any contact • contractors' staff to comply with code of conduct • contractors' staff to sign in and out of premises • contractors' staff to wear Company ID at all times • no CRB required 	<ul style="list-style-type: none"> • undertakes a risk assessment • agrees arrangements with SLT on contractors to be used • ensures segregation arrangements in place • ensures arrangements for any contact to be supervised • requires contractor to adopt code of conduct • requires contractor to sign in and out of premises • requires contractor to wear ID on site • ensures any CRB checks completed before works start • reviews and amends arrangements to accommodate any change
<p>Regular [e.g., where contractors' staff are segregated from pupils but there is likely to be regular supervised contact, e.g. foremen liaising with schools on new build or major repair projects, service engineers making routine maintenance visits]</p>	<ul style="list-style-type: none"> • segregate • supervise any contact • contractors' staff to comply with code of conduct • contractors' staff to sign in and out of premises • contractors' staff to wear Company ID at all times • consider CRB 	<ul style="list-style-type: none"> • undertakes a risk assessment • agrees arrangements with SLT on contractors to be used • ensures segregation arrangements in place • ensures arrangements for any contact to be supervised • requires contractor to adopt code of conduct • requires contractor to sign in and out of premises • requires contractor to wear ID on site • ensures any CRB checks completed before works start • reviews and amends arrangements to accommodate any change