



# Whitley Community Pre - School

## **Policy Document for Contractors working in and around the setting (Children's Safeguarding Guidance)**

Village Hall  
Whitley  
(March 2017)

Charity Reg. No.7265957

<sup>1</sup>  
Linked to DfE's: 'Safeguarding Children and Safer Recruitment in Education'

The application of this policy and procedure ensures that no employee receives less favourable treatment on grounds of sex, trans-gender status, sexual orientation, religion or belief, marital status, civil partnership status, age, race, colour, nationality, national origin, ethnic origin, disability, part time status or trade union activities.

**POLICY AGREED BY: PRESCHOOL COMMITTEE DATE: MARCH 2017**  
**POLICY REVIEW DATE: OCTOBER 2017**

*Note: in this document, when the word 'contractor' is used it can either mean the organisation with which Whitley Community Preschool or other relevant body (including Whitley Village Hall) has entered into a contract with or an individual employee of that contractor (depending on context).*

## **1.0 SUMMARY**

This guidance is to ensure the effective safeguarding of children where contractors are working in Whitley Village Preschool.

## **2.0 SCOPE**

This guidance is intended for use where contractors are employed the Whitley Village Hall premises, as the main setting for Whitley Community Preschool.

## **3.0 OBJECTIVES**

The objective of this guidance is to ensure that effective systems are put in place to safeguard children when work is undertaken on school premises, and/or providing services to Whitley Community Preschool.

## **4.0 INTRODUCTION**

Whitley Community Preschool has a responsibility to safeguard and promote the welfare of children in its care\*.

The Department for Education has issued guidance in its document: 'Safeguarding Children and Safer Recruitment in Education'

(DfE Publications: [www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk) / [www.teachernet.gov.uk](http://www.teachernet.gov.uk) )

The guidance is mainly designed for those who are employed to work with children. 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 and other providers to Whitley Community Preschool including Whitley Village Hall members.

It cites examples of good practice where contact is on an ad hoc or irregular basis and indicates where Disclosure and Barring Service checks are not required (Appendix 1). This guidance considers what arrangements should be employed by the Manager (Vicki Brown) and staff members where contractors are employed to work at Whitley Community Preschool.

Any reference to the Manager in this guidance should be taken to include any person that he/she has designated as the person responsible for safeguarding children at the Preschool.

\* The Children Acts 1989 and 2004; the Education Act 2002 and the Vulnerable Groups Act 2006.

## **5.0 RESPONSIBILITIES**

The Committee Members, the Manager and staff members of Whitley Community Preschool are responsible for the safeguarding of the children 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. 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 means 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 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 all times during and immediately before and after 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. The Contractor will provide this, prior to commencing works, for agreement with the Manager.

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. Should any contact between the contractors' staff and pupils occur then it should be supervised by a member of school 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. 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) do not bring inappropriate printed material onto the school site
- h) dress appropriately – shirts to be worn at all times
- i) observe the code at all times
- j) remember your actions no matter how well intentioned could be misinterpreted

Any order or contract for works or building contract should be let with a clear condition that failure to observe the code will entitle the school /Local Authority 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 work wear
- d) Signing in book with signatures being checked against known ID

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 be DBS checked should be determined by an assessment of whether the work they will be undertaking on the school site will be regular or not.

**Regular Work** is defined in the Department for Education's *Safeguarding Children's Guidance* as work undertaken three or more times in a 30 day period, or once a month for three months or more, or overnight.

The assessment should take account of the likely amount of contact that the contractors' staff might have with pupils, given that measures to segregate should already be in place. Accordingly DBS 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, DBS checks would not normally be required for contractors' staff working on site building an extension or undertaking repairs where they are segregated from pupils.

However, where a member of the contractors' staff is likely to have regular contact with pupils then it will be a requirement to ensure that an individual has had a DBS check in addition to measures to supervise any contact. For example, a DBS check will be required 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 a particular school to undertake routine maintenance (boilers, electrical tests and the like) then a check will be required 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 been DBS checked.**

It should be noted that contractors engaged by the Local Authority have not automatically been vetted in any way. Contractors are required under the Vulnerable Groups Act to ensure that all the necessary safer recruitment checks have been carried out on all the employees they send or supply to Whitley Community Preschool who will be working regularly in or for the school before they undertake that work. They are also required to provide Whitley Community Preschool with the names of those who will be working regularly at the school, notify Whitley Community Preschool that they have carried out the necessary safer recruitment checks on each of the relevant individuals and that they know of no reason why any of the individuals concerned are not suitable to work with children.

The Safer Recruitment checks that contractors are required to carry out on employees who will be working regularly in or for Whitley Community Preschool are the same as those required out for employment to include one or more of the following:

- o DBS Disclosure check;
- o References and
- o Interviews

They are also expected to carry out the other, usual, recruitment checks (identity, qualification, and professional status, right to work in the UK and health checks). Whitley Community Preschool has the right to ask to see the DBS Disclosures of individuals sent to them by contractors who will be working regularly in or for Whitley Community Preschool.

It is an offence for a contractor to knowingly allow a barred individual to work with children.

## **7.0 PLANNING**

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

In the event of emergency repair works required it is acknowledged that Whitley Village Hall are to be notified. In this instance Whitley Community Preschool should be informed at the earliest opportunity of the contractor who is going to be in attendance, the area in which they will need to work so that the Preschool is aware that they have been appropriately authorised to work at the building.

**For the avoidance of doubt, Whitley Community Preschool reserve a right to refuse access on the grounds of safety to areas of the Preschool where children are present until appropriate safeguarding measures can be put in place.**



## **8.0 SINGLE CENTRAL RECORD**

Whitley Community Preschool will register the following information:

- Contractors Name and Nature of Business
- Whether notification has been received by contractors of the necessary checks being taken (see 6.5)
- Date at which notification was given of all the checks being undertaken
- Disclosure information for individual staff (if given) and the date received
- ID checking procedure agreed and in place (see 6.4)

## **9.0 SUMMARY**

Wherever any type of 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.

## **10.0 OTHER RELEVANT GUIDANCE/DOCUMENTS:**

- Health and Safety
- Safer Recruitment Guidance
- Safer Recruitment-DBS FAQs
- DfE Working Together to Safeguard Children
- DfE Safeguarding Children and Safer Recruitment in Education

## **APPENDIX 1**

**Relevant Extracts from DfE *Children's Safeguarding Guidance* (DfE Publications: [www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk) / [www.teachernet.gov.uk](http://www.teachernet.gov.uk)):**

### **CONTRACTORS**

3.4 Local authorities and Academies should ensure that the terms of any contract they let that requires the contractor to employ staff to work with, or provide services for, children for whom the local authority or school is responsible also requires the contractor to adopt and implement the measures described in this guidance. They should also monitor the contractor's compliance. Further advice on the vetting of contractors is provided in Chapter 4, paragraphs [4.23], 4.74 and 4.75.

### **EMERGENCY CALL-OUT CONTRACTORS**

4.23 It is not necessary to obtain a DBS Disclosure for visitors who will only have contact with children on an ad hoc or irregular basis for short periods of time ...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 DBS Disclosure include: ...

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 premises.

### **BUILDING CONTRACTORS**

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, Academies 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.

### **PFI AND OTHER CONTRACTORS**

4.75. PFI contract staff, for example caretakers and caterings staff, must be checked by the contractor in the same way as Academy employees (i.e. including a DBS Disclosure), and such requirements form part of the contract. The outcome of such checks must be notified to the local authority. The contractor is also responsible for ensuring that the same procedures are followed by any subcontractors. The contractor must provide the local authority with a list of its direct employees and those of any subcontractors at least 20 days before they start work on site.

**APPENDIX 2  
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
- Do not bring inappropriate printed material onto the site
- 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
- No smoking on Whitley Community Preschool premises
- Do not leave tools where students can access them
- Clean and tidy during the work day

**A CLEAN SITE IS A SAFE SITE**

## **APPENDIX 3: CHECKS ON CONTRACTORS WORKING IN PRESCHOOLS CONTACT WITH PUPILS RECOMMENDED MEASURES THE MANAGER/DESIGNATED PERSON RESPONSIBILITIES**

### **Nil**

[e.g. works undertaken on separate site, during out of hours or in school holiday periods]

- 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 DBS required
- 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

### **Minimal**

[where contractors' staff are segregated from pupils and any contact with pupils will not be 'regular']

- 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 DBS required
- undertakes a risk assessment
- agrees arrangements with LA if LA 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
- reviews and amends arrangements to accommodate any change

### **Regular**

[e.g., where contractors' staff cannot be fully segregated from pupils and there will (or it is possible there will) be opportunity for 'regular' contact with pupils]

- 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
- DBS checks required (together with other appropriate safeguarding checks: identity and reference checks and interviews (by the Contractor)) prior to the individual starting work on the school site
- undertakes a risk assessment
- agrees arrangements with LA if LA 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 DBS check and other appropriate safeguarding checks have been completed before worker starts
- ensures that the school has received a written assurance that the required safer recruitment checks have been carried out on each of the workers concerned together with a list of the workers' names
- reviews and amends arrangements to accommodate any change



**APPENDIX 4**  
**MODEL REQUEST FOR SAFER RECRUITMENT INFORMATION LETTER**  
**(FOR CONTRACTORS)**

Dear

**REQUEST FOR SAFER RECRUITMENT INFORMATION REGARDING EMPLOYEES FROM CONTRACTORS WHO  
WILL BE UNDERTAKING REGULAR WORK AT WHITLEY COMMUNITY PRESCHOOL**

I am writing to you with regard to the employee(s) of your organisation who will be working regularly at the Whitley Community Preschool.

As you may be aware, contractors are required by the Vulnerable Groups Act (under the Vetting and Barring Scheme) to ensure that all necessary safer recruitment checks have been carried out on all those employees/individuals they send or supply to schools who will be undertaking regular work at the school before they undertake that regular work.

Regular is defined for these purposes as any work that is carried out in the school when children are present on the site, whether paid or unpaid, three or more times in a 30 day period, or once a month for three months or more, or overnight. Overnight is between 2 am and 6 am.

Contractors are also required to provide Whitley Community Preschool with the names of those who will be undertaking regular work in the School, to notify Whitley Community Preschool that they have carried out the necessary safer recruitment checks on the relevant individuals and that they know of no reason why any of the individuals concerned are not suitable to work with children.

In compliance with the Vulnerable Groups Act and DfE *Safeguarding Children Guidance* we therefore request that you provide us with a list of the full names and dates of birth of all those employees/individuals you are sending to this Preschool who will be undertaking regular work in the Preschool in connection with **[name of project or detail of work being carried out]** together with a written assurance that all the necessary safer recruitment checks have been carried out on each of these individuals and reveal no information that would indicate that they were in any way unsuitable to work within a Preschool.

The Safer Recruitment checks that contractors are required to carry out on employees who will be undertaking working regularly in a Preschool and which we want you to certify have been carried out in this case are:

- o DBS Disclosure check (*please state the DBS Disclosure Number and the date the Disclosure issued against each name on the list and whether the DBS Disclosure included any disclosed information*);
- o References and Interviews

Whitley Community Preschool is not able to confirm that relevant individuals can begin work until the requested written confirmation has been received.

I look forward to hearing from you. In the meantime, if you have any queries regarding this letter please do not hesitate to contact me.

Thank you for your co-operation.

Yours faithfully

