

Incident / Injury and Emotional Harm Procedures

When Tradewind Recruitment and Sanza Teaching Agency is notified by a client of any unacceptable work practices by one of our supply workers, or a supply worker informs us that something happened while in a booking, an internal Tradewind Recruitment and Sanza Teaching Agency Concern / Allegation Record is completed on our internal system by the consultant who receives the complaint.

The concern / allegation will be recorded in detail and further information will be gathered from the client and candidate. The level of the alleged incident will be determined by the client (school). LADO's – Local Authority Designated Officer's advice might be required to determine the level of the alleged incident based on information received and the course of action taken by Tradewind Recruitment and Sanza Teaching Agency.

The Incident Report Form is divided into 2 components:

- Client Comments (and any witness statements, if available)
- Candidate Comments

The above-mentioned incident report will be shared with all parties involved in the investigation process (for example school, LADO – Local Authority Designated Officer, Police).

The procedure for reporting an Incident and Injuries is as follows:

A written account of the incident/injury as told by the person reporting the incident will be taken and this will be recorded on the Internal System.

The client will be requested to complete an Incident/Injury Report form.

The candidate's file will be examined as to whether they have any prior Incident Reports. The candidate will be consulted as to their account of the incident and requested to complete an Incident/Injury Report form. Support details will be provided to candidates and are also available below.

The Consultant or / Safeguarding Team member will discuss with the client their internal process and determine what and if, any action they may already have taken regarding the incident/injury. Action taken may include external agencies such as referral to LADO, Police, RIDDOR (for injuries) etc. Tradewind Recruitment and Sanza Teaching Agency will seek next steps from the most senior party dealing with the incident (for example LADO or Police) and reserve the right to make a referral if the client has not.

Depending on the nature of the concern/allegation, it may result in the candidates file being placed on Do Not Use (DNU), until the investigation is concluded.

With permission, the candidate will be informed of all decisions made through the investigation process by their consultant or Safeguarding Team member / Compliance Manager and might be invited to discuss the incident in detail.

Once a fact-finding and/or an investigation is concluded the Incident Report Form filed in by the client and candidate will be filed and stored on our database.

Because Education Matters our CPD programme is the most comprehensive in the UK, offering our clients and candidates certified CPD courses. Recommendations for relevant CPD's will be made available to the candidate during or after the fact finding / investigation.

In certain cases, the candidate may be removed from the live Tradewind Recruitment and Sanza Teaching Agency database and will cease employment through Tradewind Recruitment and Sanza Teaching Agency. This cease in offering assignments, is in accordance with the contract for services arrangement we previously operated under and affects no other rights you have.

Tradewind Recruitment and Sanza Teaching Agency are available for support throughout the allegations and incidents process, and we also recommend contacting your Union Representative, ACAS for legal support and guidance as well as mental health charities and NHS or your GP:

The **ACAS legal helpline number** is 0300 123 1100.

It is available Monday to Friday 8am-6pm.

<https://www.acas.org.uk/helpline>

NHS urgent mental health helpline (24-hour advice and support)

<https://www.nhs.uk/service-search/mental-health/find-an-urgent-mental-health-helpline>

Get advice from 111 or ask for an urgent GP appointment if you need an urgent help for your mental health.

Call 111 and select the mental health option

Text "SHOUT" to 85258 to contact the [Shout Crisis Text Line](https://giveusashout.org/), or text "YM" if you're under 19

<https://giveusashout.org/>

here for you 24/7

MIND Charity:

<https://www.mind.org.uk/>

Infoline 0300 123 3393

Samaritans:

<https://www.samaritans.org/>

Available anytime. Call 116 123

SANE Line services:

<https://www.sane.org.uk/how-we-help/emotional-support/saneline-services>

Open every day of the year from **4pm to 10pm on 0300 304 7000**, serving Great Britain and Northern Ireland.

Responding to Incidents / Injuries:

The level of the incident confirmed by the client (school) determines the action taken by Tradewind Recruitment and Sanza Teaching Agency. Tradewind Recruitment and Sanza Teaching Agency uses a 2-level system when dealing with incidents (in line with Keeping Children Safe in Education guidance) and 1-level when dealing with injuries.

Low Level Incidents – allegations that do not meet the harm threshold - the term ‘low-level’ concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ - that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the harm threshold for LADO referral (school determines if the threshold for LADO referral has been met). If schools and colleges are in any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, they should consult with their LADO and immediately update Tradewind / Sanza and provide further updates once they have a reply from LADO regarding threshold decision.

This level of incident may include feedback such as:

- Leaving the Classroom Untidy
- Arriving Late
- Unprepared work
- Inappropriate dress
- Not marking work
- Not strong enough for the school
- Did not suit the school
- Work not being followed
- Answering a mobile phone in class
- Inappropriate language
- Major Concerns about Classroom Management
- Safeguarding nature allegation that did not meet the harm threshold

The above is a non-exhaustive list of examples

After receiving low level concern about a candidate, we will closely monitor their performance and may recommend available CPD's further training to improve their practices.

Depending on the information disclosed, candidate may be asked to complete a written report as a part of the investigation process that will be shared with school and LADO (if school or LADO requires candidate's report before they are in position to make threshold decision) or come into the office or on Teams/Zoom and discuss the situation with the consultant as a part of the investigation. During this session, possible solutions will be discussed, and a plan of action will be agreed upon.

Depending on the nature of the concern/allegation, it may result in the candidates file being placed on Do Not Use (**DNU**), until the investigation is concluded.

If a candidate has multiple Incidents against them, their file will be reviewed by Safeguarding Team member / Compliance Managers and Sales Directors to determine suitability to for further assignments with Tradewind Recruitment and Sanza Teaching Agency and we reserve the right to make a LADO referral.

Candidate may also be referred to disciplinary process in line with disciplinary procedures. We follow ACAS guidance. <https://www.acas.org.uk/>

In certain cases, the candidate may be removed from the live Tradewind Recruitment and Sanza Teaching Agency database and will cease employment through Tradewind Recruitment and Sanza Teaching Agency. This cease in offering assignments, is in accordance with the contract for services arrangement we previously operated under and affects no other rights you have.

Safeguarding and Professional Conduct Incidents – allegations that may meet the harm threshold

This level of incident may include feedback such as:

- Safeguarding
- Gross Professional Misconduct
- Professional Misconduct
- Leaving child unattended
- Physical Contact
- Social media - posting inappropriate text or pictures, contacting students, following students on social media platforms, leaving comments on social media platforms
- Threatening student/s
- Intimidating / upsetting student
- Emotional harm
- Transferable risk – situations where a person's behaviour or circumstances outside of your work with children could potentially indicate a risk of harm to children, even if the behaviour didn't occur in a professional setting. This means that concerns about a professional's conduct in your personal life, even if not directly related to their work with children, can still be relevant to your suitability to work with children.
- Allegations that meet harm threshold

The above is a non-exhaustive list of examples

It should be followed when it is alleged that anyone working with children:

- behaved in a way that has harmed a child, or may have harmed a child and/or
- possibly committed a criminal offence against or related to a child, and/or
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children, and/or

- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Tradewind Recruitment and Sanza Teaching Agency will take any incident of this level very seriously and it may result in the candidates file being placed on Do Not Use (DNU), until the investigation is concluded.

Tradewind Recruitment and Sanza Teaching Agency will seek confirmation of suitability to continue working from the most senior party involved in the investigation (for example school, LADO or the Police).

When to inform the individual of the allegation made against them should be considered carefully on a case-by-case basis, with guidance as required from the LADO, and if appropriate local authority children's social care and the police.

The LADO will provide advice and guidance to schools and colleges and agencies when considering allegations against adults working with children. The role of the LADO is not to investigate the allegation, but to ensure that an appropriate investigation is carried out, whether that is by the police, local authority children's social care, the school or college, or a combination of these.

In line with Keeping Children Safe in Education guidance, **"378. Whilst schools and colleges are not the employer of supply teachers, they should ensure allegations are dealt with properly."**

"379. Agencies should be fully involved and co-operate with any enquiries from the LADO, police and/or local authority children's social care. The school or college will usually take the lead because agencies do not have direct access to children or other school or college staff, so they will not be able to collect the facts when an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process. Supply teachers, whilst not employed by the school or college, are under the supervision, direction and control of the governing body or proprietor when working in the school or college. They should be advised to contact their trade union representative if they have one, or a colleague for support. The allegations management meeting, which is often arranged by the LADO, should address issues such as information sharing, to ensure that any previous concerns or allegations known to the agency or agencies are considered by the school or college during the investigation."

"380. When using a supply agency, schools and colleges should inform the agency of the process for managing allegations but also take account of the agency's policies."

Candidates will be informed of this as soon as possible and asked to provide their allegation report, which will be shared with all parties involved in the investigation (for example school, LADO, Police). Depending on the information disclosed the candidate may be asked to come into the office or on Teams/Zoom and discuss the situation with the consultant/safeguarding team as a part of the investigation.

During this session, possible solutions may be discussed.

Candidate may also be referred to disciplinary process in line with disciplinary procedures. We follow ACAS guidance. <https://www.acas.org.uk/>

As per KCSIE guidance 403. The definitions that should be used when schools and colleges determine the outcome of an allegation are set out below:

- **Substantiated:** there is sufficient evidence to prove the allegation on a balance of probability.
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made.
- **False:** there is sufficient evidence to disprove the allegation.
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject of the allegation.

From KCSIE guidance 404: “Ultimately the options open to the school or college depend on the nature and circumstances of the allegations and the evidence and information available. This will range from taking no further action, to dismissal or a decision not to use the person’s services in future.”

In the event of an allegation being **substantiated** and,

- the person is dismissed; resigns, or otherwise ceases to provide his or her services, or
- the employer / agency ceases to use the person’s services.

Tradewind Recruitment and Sanza Teaching Agency has a duty to inform the appropriate regulatory body such as the Disclosure and Barring Service (DBS) <https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs>, and/or Teaching Regulation Agency (TRA) <https://www.gov.uk/guidance/teacher-misconduct-referring-a-case> when necessary.

Tradewind Recruitment and Sanza Teaching Agency will endeavour to assist the professional body with their formal investigation. We will comply with any recommendations from the appropriate regulators. All communication with the regulatory bodies when reporting an incident will be in writing.

Substantiated allegations should be included in employment references and prior to any placements – as per Keeping Children Safe in Education guidance. Disciplinary sanctions should also be disclosed in employment references and prior to any placements.

If you have an open LADO referral – you should be advising your employers, Agencies or volunteering roles and providing LADO details.

For further information, please refer to “Keeping Children Safe in Education - Part Four” guidance.

Injuries at Work and Emotional Harm / Distress

All injuries/emotional harm incidents, however small, sustained by a candidate at work, must be reported by candidate immediately to their contact at school and also to Tradewind Recruitment and Sanza Teaching Agency as soon as you are able. Tradewind Recruitment and Sanza Teaching Agency will take any injury/emotional harm incidents reported very seriously.

A written account of the injury/emotional harm incidents as told by the person reporting the incident/emotional harm incidents will be taken and this will be recorded on the Internal System. The client and candidate will be requested to complete an Injury / Emotional Harm Report form.

It is candidate's responsibility to inform Tradewind Recruitment and Sanza Teaching Agency immediately if they are not fit to work or if they require any reasonable adjustments at work.

Candidate may also be asked to complete our updated Fitness to Work Form and confirm, if any adjustments are required. We may also require a copy of hospital/GP letter.

Some work-related injuries and accidents may require a **RIDDOR report by the school** as the school is in control of work premises when the event occurred and agency workers are under the supervision and direction of the School/Hirer from the time they report to take up duties and for the duration of the assignment.

For further details when and how to make RIDDOR report please go to:

<https://www.hse.gov.uk/riddor/report.htm>