

STATEMENT OF PROCEDURES FOR DEALING WITH ALLEGATIONS OF ABUSE AGAINST STAFF

NEWBURY SCHOOL

**Legislation**

Keeping Children Safe in Education 2023

Working Together to Safeguard Children 2015

1. **Introduction**
   1. Schools have clear responsibilities for dealing with allegations of abuse of children made against their staff, whether those staff are paid or unpaid.

It is about managing cases of allegations that might indicate that a person is unsuitable to continue to work with children in their present position, or in any capacity. It will be used in respect of all cases where it is alleged that an employee or volunteer, or a person with permission to be on the premises or carrying out any activity on behalf of Newbury School has;

* + Behaved in a way that has harmed a child, or may have harmed a child;
  + Possibly committed a criminal offence against or related to a child;
  + Behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children.

This will include allegations involving any type of abuse or neglect, including inappropriate relationships with pupils, grooming behaviour of any kind, possession of indecent photographs or images of children and other offences under the Sexual Offences Act 2003.

Any allegation of abuse will be dealt with as quickly as possible, in a fair, consistent and thorough way that provides effective protection for the child or children and at the same time deals fairly with the person who is the subject of the allegation.

* 1. The guidance entitled ‘Keeping children safe in education 2023’ applies under Section 175 of the Education Act 2002 and the Independent School Standards (England) Regulations 2014. Schools must have regard to it when carrying out their duties to safeguard and promote the welfare of children. It should be read in conjunction with ‘Working together to safeguard children 2015’.

In addition procedural guidance is outlined in [**Allegations against Staff and Volunteers**](http://westmidlands.procedures.org.uk/ykpzy/statutory-child-protection-procedures/allegations-against-staff-or-volunteers)in the West Midlands Child Protection procedures.

1. **Procedure for handling allegations of abuse**
   1. Procedure for handling allegations of abuse is found within this procedure, and also Newbury schools disciplinary, conduct and grievance procedure and Safeguarding and Child protection procedure.
2. **The Local Authority Designated Officer for Child Protection**
   1. The Local Authority Designated Officer (LADO) plays a key role in the process of dealing with allegations of abuse against staff.

The LADO for Birmingham schools can be contacted on 0121 675 1669.

1. **Communicating the Procedures**

4.1 All members of the Leadership Team and the Designated Safeguarding Lead with responsibility for child protection have a responsibility to ensure that all staff know about and understand the reporting of allegations.

4.2 All members of the Leadership Team and the Designated Safeguarding lead have a responsibility to be familiar with the Statutory Guidance in its entirety.

1. **Immediately Reporting an Allegation**

5.1 Everyone who comes into contact with children and their families has a role to play in safeguarding children. If you have a concern that a person (as described in paragraph 1.1 above) may have behaved inappropriately or you have received information that may constitute an allegation **you must:**

* + Report the facts to the DSL as soon as possible. All concerns will be listened to and managed appropriately; do not withhold information however trivial it may seem.
  + In the absence of the DSL you must report the matter to the deputy DSL available who will carry out the duties in his/her absence. If the allegation concerns the Headteacher then the matter must be reported to the Chair of Governors.
  + Make a signed and dated written record of your concerns, observations or the information you have received and give it to the DSL straight away.
  + Maintain strict confidentiality.

5.2 **You must not**:

* + Attempt to deal with the situation yourself.
  + Make assumptions, offer alternative explanations or diminish or embellish the seriousness of the behaviour or alleged incidents.
  + Keep the information to yourself or promise confidentiality.
  + Take any action that might undermine any investigation or disciplinary procedure, such as disclosing confidential information, interviewing the alleged victim or potential witnesses, or informing the alleged perpetrator or parents/carers.

1. **Duties and Responsibilities of the Headteacher**

6.1 The duties and responsibilities of the Headteacher are as described in Keeping children safe in education September 2023 Part four: Allegations of abuse against teachers and other staff.

6.2 The contact details for the Designated Safeguarding Lead are: Antonique Watson Marc Southall or Shane Watson.

Low Level Concerns

Definition of low-level concerns

The term ‘low-level’ concern is any concern – no matter how small – that an adult working in or on behalf of the school 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 allegations threshold or is otherwise not considered serious enough to consider a referral to the designated officer at the local authority

Examples of such behaviour could include, but are not limited to:

* Being overly friendly with children
* Having favourites
* Taking photographs of children on their mobile phone
* Engaging with a child on a one-to-one basis in a secluded area or behind a closed door
* Humiliating pupils

Sharing low-level concerns

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

* Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
* Empowering staff to share any low-level concerns as per section 7.7 of this policy
* Empowering staff to self-refer
* Addressing unprofessional behaviour and supporting the individual to correct it at an early stage
* Providing a responsive, sensitive and proportionate handling of such concerns when they are raised
* Helping to identify any weakness in the school’s safeguarding system

Responding to low-level concerns

If the concern is raised via a third party, the headteacher will collect evidence where necessary by speaking:

* Directly to the person who raised the concern, unless it has been raised anonymously
* To the individual involved and any witnesses

The headteacher will use the information collected to categorise the type of behaviour and determine any further action, in line with the school’s code of conduct. The headteacher will be the ultimate decision-maker in respect of all low-level concerns, though they may wish to collaborate with the DSL.

Record keeping

All low-level concerns will be recorded in writing. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken.

Records will be:

* Kept confidential, held securely and comply with the DPA 2018 and UK GDPR
* Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms threshold as described in section 1 of this appendix, we will refer it to the designated officer at the local authority
* Retained at least until the individual leaves employment at the school

Where a low-level concern relates to a supply teacher or contractor, we will notify the individual’s employer, so any potential patterns of inappropriate behaviour can be identified.

References

We will not include low-level concerns in references unless:

* The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or
* The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance

**This policy has been written & authorised by:**

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| --- | --- |
| Name: | Antonique watson |
| Position: | PRINCIPAL |
| Date: | april 2023 |
| Next review date | april 2024 |
| authorised by: | TO BE RATIFIED |