

# Statement of Procedure for Dealing with Allegation of Abuse Against Staff

(Extract from Child Protection Policy)

The John Harrox Primary School



<b>Approved by:</b>	[Governing Body]	<b>Date:</b> [18/09/2023]
<b>Last reviewed on:</b>	[18/09/2023] In line with Child Protection Policy	
<b>Next review due by:</b>	[September 2024]	

## **Extracted from The John Harrox Primary School's Child Protection Policy (pages 29-33) as follows:-**

### **Allegations regarding Person(s) Working in or on behalf of School (including Volunteers)**

The John Harrox Primary School

School Child Protection & Safeguarding Policy

September 2022

As per the guidance in Part 4 of [Keeping Children Safe in Education 2022](#), our school recognises two levels of concerns:

1. Allegations that meet the harms threshold – further details outlined in our Managing Allegations policy
2. Allegation/concerns that do not meet the harms threshold referred to as 'low-level concerns'. Our staff [Code of Conduct](#) policy outlines our expectations of staff and how they should behave.

Any concerns may impact on a staff member's employment, therefore we also refer to the [LCC School Employment Manual/Disciplinary policy](#)

#### **Allegations that meet the harms threshold**

- 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 to children or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children. This is to take account of situations where a person's behaviour outside school may suggest 'transferable risk'. For example, where a member of staff or volunteer is involved in an incident outside of school which did not involve children but could have an impact on their suitability to work with children'

We will apply the same principles as in the rest of this document and we will always follow the Lincolnshire Safeguarding Children Partnership Procedures that can be accessed at [Lincolnshire Safeguarding Children Partnership](#).

The Head teacher will be the case manager who will take the lead in any investigation. If the Head teacher is the subject of the allegation, then the chair of governors will manage the case. If there is any doubt as to the procedure to follow, we will contact the Lincolnshire Local Authority Designated Officer (LADO) for advice.

The priority in any allegation is the safety of the child. The DSL will follow normal safeguarding procedures if there is risk of harm to a child.

Following our procedures, the case manager will undertake basic enquiries to obtain facts being careful not to jeopardise any potential police investigation. All investigations will be carried out by:

- applying common sense and judgement
- dealing with the allegation quickly, fairly, and consistently
- providing protection for the child and support for the person subject to the allegation

We will inform the person subject to the allegation when it is right to do so based on advice from LADO and if appropriate Social Care and the Police.

Following the initial investigation and discussions with LADO there may be an outcome of:

- no further action – record of decision and rationale is made as well as decision of information to be shared with the individual
- further enquiries – following discussion with LADO, these are carried out by a senior member of staff or an independent investigator depending on the nature of the investigation. The case manager will monitor the progress of this following the timescales and reviews outlined in the Managing Allegations Policy

If the allegation is in relation to a **supply teacher**, the school will seek guidance from the LADO and the agency as to the appropriate actions in relation to employment or deployment of the individual within the school and across other schools. The agency should then fully cooperate with the school in any investigations that need to take place. The allegations management meeting arranged by LADO will take into consideration any previous concerns in relation to the individual.

If the allegation is in relation to a governor, we will follow our local procedures; removing the person from office should the allegation be substantiated.

Suspension is not an automatic response when an allegation is reported. The case manager will make a decision on this and review regularly throughout any

investigation. The case manager will consider all possibilities to avoid suspension including temporary redeployment. Suspension will be implemented if there is cause to suspect a child is at risk of any harm or if the case is so serious that it is most likely to result in dismissal. The governing body will seek guidance from LADO as well as social care and the Police to decide whether suspension is the most appropriate action.

We recognise that this process can be very stressful for all involved; the school are committed to provide support as outlined in our Managing Allegations policy.

Information sharing is crucial in this process. This includes all relevant information about the person subject to the allegation to aid investigations as well as information about the child involved to determine the level of protection required. Our policy outlines conditions related to the confidentiality of this information.

The outcomes from an allegation are:

**Substantiated:** there is sufficient evidence to prove 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.

**False:** there is sufficient evidence to disprove the allegation.

**Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence; or,

**Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made.

Following the decision, the case manager, with support from LADO will determine the next actions. If an allegation was found to be malicious, the school must consider whether the person/child who made the allegation is in need of help themselves and whether a referral to customer services is required.

Details of the allegations will be kept on the file of the person accused, except those resulting in a malicious outcome where the choice to retain is that of the individual.

### **Non-recent allegations**

If an adult wishes to raise an allegation to the school that they were abused as a child, the adult will be strongly advised to contact the police. Any non-recent allegation made by a child must be reported to the LADO who will follow the local authority procedures for dealing with historic reporting of incidents.

## **Allegations that do not reach the harm threshold**

Our school fosters a culture in which all allegations and concerns about adults are taken seriously and responded to promptly and appropriately. By being open and transparent about addressing 'low level concerns' we can respond early and reduce the escalation of situations and potential risk of harm to children.

Further details can be found in our Low-Level Concerns section of our staff Disciplinary policy

A low-level concern is defined as behaviour that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work,
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

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

- being over 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; or,
- using inappropriate sexualised, intimidating, or offensive language.

Our school will ensure that staff are very clear about what appropriate behaviour is and are confident to share any low-level concerns with the Head teacher. All unprofessional behaviour will be address at early stage with sensitivity and proportionality. Any weakness in the school safeguarding system that has allowed this behaviour to exist will be addressed.

All low-level concerns will be reported to the Head teacher who will follow the procedures in the policy to address these. Low level concerns will be recorded and kept safe. They will be reviewed regularly to see if there are any emerging patterns in relation to an individual so that a decision can be made as to whether to escalate to an allegation that meets the harm threshold.