

# The Mary Bassett Lower School



## Statement of procedures for dealing with allegations of abuse against a member of staff

Approved by:	Governing Body	Date: January 2024
Last reviewed on:	December 2023	
Next review due by:	January 2025	

## **Allegations and concerns about a member of staff, governor or volunteer**

Inappropriate behaviour by staff/volunteers could take the following forms:

- **Physical**

For example: the intentional use of force as a punishment, slapping, use of objects to hit with, throwing objects or inappropriate physical handling.

- **Emotional**

For example: intimidation; belittling; scapegoating; sarcasm; lack of respect for children's rights; excessive and/or aggressive shouting; and attitudes that discriminate on the grounds of race, gender, disability or sexuality.

- **Sexual**

For example: sexualised behaviour towards peers; sexual harassment; sexual communication including via social networking, email, text; grooming behavior; and sexual assault and rape.

- **Neglect**

For example: failing to act to protect a child or children, failing to seek medical attention or failure to meet a child's basic needs.

- **Behaviours which may pose a risk**

Some behaviours which may take place outside of the workplace could present a transferable risk in an employee's professional role working with or in the vicinity of children. For example, alleged perpetrator of domestic abuse, offences demonstrating a sexual interest in children, abuse or neglect of their own children or behaviours that are incompatible with a professional role working with children.

If a child makes an allegation or raises a concern about a member of staff (including supply staff), governor, visitor or volunteer the Head Teacher should be informed immediately. If the allegation or concern falls within the following criteria, the LADO will be contacted at the earliest possible opportunity and within 1 working day:

- 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 in a way that indicates s/he may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

### **The Headteacher should not carry out the investigation or interview pupils.**

If a child makes an allegation of physical abuse against an adult that works with children and there are visible bruises, marks or injuries, or if a child makes an allegation of sexual abuse against an adult that works with children, child protection procedures will be followed and a referral made to Children's Social Care. The LADO will also be informed.

The Headteacher must exercise, and be accountable for, their professional judgement on the action to be taken, as follows –

- If the actions of the member of staff are felt likely to fall within the scope of the Interagency Allegation Management Procedures (as stated in point 2), the Headteacher will notify the Local Authority Designated Officer (0300 300 5026). The LADO will liaise with the Headteacher and advise about actions to be taken which will be in accordance with the Interagency Allegation Management Procedures.
- If the Headteacher is uncertain, whether the concern or allegation falls within the scope of the Interagency Allegation Management Procedures, a consultation with the LADO will take place and the advice provided will be acted upon. This consultation and the advice offered will be recorded and held on file.
- Where an allegation has been made against the Headteacher, then the Chair of the Governing Body takes on the role of liaising with the LADO team in determining the appropriate way forward. For details of this specific procedure see the section on Allegations against Staff and Volunteers in the procedures of the LSCB.

### **Concerns that do not meet the harm threshold**

Our Governing body have policies and processes to deal with concerns (including allegations) which do not meet the harm threshold.

We recognise that concerns may arise in several ways and from a number of sources, for example:

- suspicion;
- complaint;
- disclosure made by a child, parent or other adult within or outside of the organisation;
- as a result of vetting checks undertaken.

MBLS understands that the term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out (as per KCSIE 2022, paragraph 422)

A low-level concern is any concern 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 allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

MBLS have appropriate policies and processes in place to manage and record any such concerns and take appropriate action to safeguard children.

We understand that creating a culture in which **all** concerns about adults (including allegations that do not meet the harms threshold (are shared responsibly and with the right person, recorded and dealt with appropriately, is critical.

As good practice our Governing body will:

- set out their low-level concerns policy within their staff code of conduct and safeguarding policies
  - ensure procedures are implemented effectively
  - ensure their 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
  - empower staff to share any low-level safeguarding concerns with the Designated Safeguarding Lead (or a deputy)
  - address unprofessional behaviour and support the individual to correct it at an early stage
  - provide a responsive, sensitive and proportionate handling of such concerns when they are raised,
  - help identify any weakness in the school safeguarding system.
- If staff have a safeguarding concern or an allegation about another member of staff (including supply staff, volunteers or contractors) that does not meet the harm threshold, then this should be shared in accordance with the school's low-level concerns policy
  - Low-level concerns about a member of staff will be reported to the Headteacher.
  - Where a low-level concern is raised about the Designated Safeguarding Lead, it will be shared with the Head Teacher or Principal.
  - Where a low-level concern relates to a person employed by a supply agency or a contractor to work in a school or college, that concern will be shared with the Designated Safeguarding Lead (or deputy), and/or Head Teacher, and recorded in accordance with the school's low-level concern/staff code of conduct policy, and their employer notified about the concern, so that any potential patterns of inappropriate behaviour can be identified.

- All low-level concerns will be recorded in writing
- The record will include:
  - details of the concern,
  - the context in which the concern arose,
  - action taken,
  - the name of the individual sharing their concerns will also be noted, however if the individual wishes to remain anonymous then that will be respected as far as reasonably possible.
- The Head Teacher will be the ultimate decision maker in respect of all low-level concerns and may consult with the DSL to take a more collaborative decision-making approach.
- Records will be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR)
- Where a pattern of such behaviour is identified, MBLS 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, be referred to the LADO.
- Low level concerns would not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. However, where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it would be referred to in a reference.