

Reducing the Risk of Allegations against Staff Policy

Bonneygrove Primary School



Subject:	Reducing the Risk of Allegations Against Staff Policy
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Approved by:	Shen Hasekilerden (Chair of Governors)



BONNEYGROVE PRIMARY SCHOOL

Introduction

Every year in schools, there are allegations by children and parents against school staff. Some of these are up-held, and some are not. While there are occasional allegations against non-teaching staff such as MSAs and teaching assistants, the majority are against teachers.

Policy Statement

- To minimise the risk of allegations made against staff at Bonneygrove School
- To ensure that no child is subject to abuse at our school
- To ensure that school procedures are followed correctly
- To promote an open culture and protective ethos which will help protect pupils and staff alike

Policy Criteria and procedure for exceptions

Areas addressed by this policy :

1. Appointment of staff
2. Volunteers working in school
3. The use of physical restraint
4. Intimate care
5. Working alone with children
6. Relationships
7. What happens if an allegation is received
8. Criminal Disclosure policy and procedures

Appointment of new staff

When appointing new staff, the school takes every step to ensure that the appointment is appropriate:

- HCC Disclosure and Barring Service: All new appointees must complete the HCC Enhanced DBS forms.
- Appointees who are moving from another Hertfordshire School who already have enhanced HCC DBS certificates and clearance from HCC and who have not had a gap in service of more than three months (including school holidays) and whose role is not changing, do not need a new DBS certificate but must produce the original copy for verification.
- The Governing Body has the discretion to appoint staff whose forms reveal a disclosure, depending on what it is.
- At least one member of the Interview Panel will have completed Safer Recruitment training.

References are sought for all staff and read carefully before interview. Any gaps are followed up where appropriate with the Referee.

Where the Headteacher and Governors have a concern and an explanation is not forthcoming, the appointment will not be made.

Volunteers working in school

No volunteer of any kind is permitted to work regularly in school unless an HCC DBS certificate has been obtained.

Until full DBS clearance has been obtained, volunteers must work under the direct supervision of a supervising teacher at all times.

Parents and other volunteers do not warrant a check for 'one off' occasions but **must** be supervised at all times.

Volunteers on overnight stays must have full HCC DBS clearance.

Governors

A Pre-Appointment Check Declaration form must be completed by all Governors but any Governor working with children on a regular basis must obtain HCC DBS clearance.

The use of physical restraint (also refer to the Behaviour Policy)

Physical intervention:

- Is a last resort measure
- May only be used to try to maintain safety
- Must never be used to enforce discipline
- Involves a significant level of risk

It is important for staff to be aware of their own and others' emotional states and wherever possible to work as a team.

Do:

- Try to reduce anger (refer to STEPS training and Behaviour Policy)
- Avoid causing fear
- Keep restriction to a minimum
- Be aware of other dangers
- Work with colleagues

Do not:

- deliberately cause pain
- restrict breathing
- touch sensitive areas
- use full weight

Intimate care (to be read in conjunction with the Intimate Care Policy)

This could be:

- supporting dressing or undressing
- cleaning a child who has soiled themselves
- comforting a distressed child
- administering medical care

Addressing intimate care needs

Staff should aim to ensure that the child's dignity is preserved, and that he or she is treated with respect and sensitivity. The following procedures should be followed:

1. In the event of soiling, dressing/undressing or administering medication, staff should encourage children to do as much independently as possible. If a child is not able to do anything to help themselves and intimate touching is required, the parents must be contacted immediately and informed that school staff are having to perform intimate care. If a member of staff has to dress or undress a child, or clean them after soiling, there must be two adults present. If parents cannot be immediately contacted, they must be informed as soon as possible after intimate care has taken place.

Where it is known that a child's needs are such that regular intimate care is needed, staff must first receive training and a protocol must be set up which all involved parties sign.

2. Our "working alone" precautions should be followed (see below)

3. Our "relationships" precautions should be followed (see below)

Touching should be no more (or less) than the situation requires. Staff should use their common sense in judging what this should be; for example, it might be appropriate to have a young child on a member of staff's lap (sitting to the side and not frontal with the child's legs open) in some situations, whereas it is unlikely that having a Year 6 child on a member of staff's lap would ever be appropriate.

Working alone with children

Working alone with children is sometimes necessary and right, but can increase the risk of allegations. The following good practice should be observed when working alone:

- try to avoid working shut away from the rest of the school
- make sure that another adult knows that you are there and why
- if the room has a window make sure that this is not obscured. If the room does not have a window, make sure the door is open
- Avoid getting into inappropriate conversations, especially with older children. Redirect or curtail if necessary and report any concerns to the Headteacher

Relationships

It is obviously part of the duty of care of school staff to build up supportive relationships with individual pupils. However, staff should ensure that these remain strictly professional at all times in order to avoid allegations of abuse or “grooming”.

It is an unfortunate fact of life that people who have an inappropriate interest in children will be attracted to a career which involves working with children or young people. This includes schools. Many of these people will use their time in schools to create opportunities for “grooming”. This can involve:

- building up trust
- making a child feel special or favourite
- alienating children from peers or family members
- involving children in secrecy
- violating professional boundaries
- involving threats to maintain the relationship

It is important that school staff do not allow themselves, usually through the best of intentions, to stray into that grey area where allegations against them may occur.

Emotional Abuse

An allegation made against a member of staff bullying a child by making threats or using ridicule may be considered abusive, depending on the severity and frequency.

Physical Abuse

This involves situations where a child has sustained an injury as a result of an action of omission or commission by a member of staff, including during physical intervention.

Sexual Abuse

This includes:

- Unlawful intercourse
- Acts of indecency and any act of a sexual nature between a member of staff and a child
- Any inappropriate relationship between a member of staff and a child, including inappropriate language or innuendo
- Breach of a position of trust

Contact with children: what is right?

Adults who work with children have a duty of care to ensure their safety and well-being at all times. Sometimes this includes physical contact such as comforting a child or keeping them safe. Sometimes children will want the reassurance of a hug and will approach adults. This is all appropriate.

In order to ensure professional behaviour at all times, staff need to exercise their judgement. There are many situations that are too complex to lay down set rules. Staff need to consider:

- The age-appropriateness of physical contact
- Any special needs a child might have
- When a relationship is in danger of moving from the professional to the personal

Practices to be very careful about, may include situations such as the following:

- Touching which is not age appropriate, e.g., female teacher holding hands with Year 6 non-SEN boy to cross the road.
- Touching when it is not necessary, e.g., giving a child a cuddle because you are pleased to see them
- If a cuddle is given to a young child, it must be to the side and not the frontal part of the body
- Giving a child or parent your home telephone number
- Giving a child a present
- Asking a child to collect something from your home
- Offering a child a lift home in your car
- Lending a child money
- Inviting a child or children to a private event outside school
- Discussing your personal life with children
- Befriending parents
- Having a special relationship with a child
- Sending personal emails to a child
- Showing age-inappropriate videos

Examples of occasions when special care must be taken include:

- School discos
- School visits, especially residential visits
- Clubs
- Unstructured times, e.g. play times

What happens if an allegation is received?

1. The Headteacher will make an initial assessment. If in doubt, the CPSLO or Team Manager from the local referral and assessment team will be consulted.
2. If appropriate, the allegation will be referred to the LADO for investigation.
3. In making a judgement about whether to refer or not, the Headteacher must not conduct a formal investigation. Information must be sought but only to the point where it is felt that a referral is necessary.

The school is not permitted to:

- Investigate the situation
- Take written statements
- Interview the child/witnesses/the accused
- Inform the accused before taking advice

4. The Headteacher must act quickly when making a referral and may:

- seek advice
- obtain details from the informant in writing
- record times, dates and potential witnesses

5. A suspension will occur where:

- an allegation has been made which, if proven, would lead to dismissal
- a child could be placed at risk of significant harm if the member of staff remained
- it is necessary to allow a full and proper investigation and taking of statements

Criminal Disclosures Policy

Background

Before appointing new staff or authorising volunteers to assist in the school, it is important for the safety and well-being of children and staff that we are aware of any criminal record a person may have. A decision then must be made as to the suitability of that person to work in our school.

Purpose of this policy

- To ensure that no child is abused in our school
- To minimise the risk of allegations made against staff or volunteers at Bonneygrove School
- To ensure that school procedures are followed correctly

Procedures

1. Before taking up any appointment, or before working as a volunteer in school on a regular basis, personnel must complete an HCC DBS form.
2. Once personnel have HCC enhanced DBS clearance, they may begin work.
3. If the staff member or volunteer is cleared, their name is entered on a register which is kept in the school office.
4. If the DBS form is returned with disclosures, the Headteacher will be contacted by CSF. The Headteacher will make a decision about whether or not the appointment should go ahead.

If there is any past offence involving children, or if there has been any serious offence within the last five years, an appointment will not be made. The following factors will also be taken into account:

- nature of the offence
- length of time since the offence
- the number of offences
- failure to disclose an offence

5. The Headteacher will discuss the offence with the appointee or volunteer. If there is any doubt about the course of action to take, a decision will be made in conjunction with the Chair of Governors and the Chair of the Finance & Personnel Committee.