

Newcastle upon Tyne Royal Grammar School

Procedure for reporting a concern about an adult working at the School

This policy applies to the whole School and is published to parents

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The Royal Grammar School Newcastle (RGS) recognises that its students and staff are best safeguarded when there is a culture of openness, safety and a readiness to raise concerns because young people's welfare is at the heart of what the School does. The School's procedures regarding allegations against members of staff (including volunteers and young people) working with students should be read in conjunction with the [Safeguarding policy](#) and the [Safeguarding code of conduct](#) and they follow guidance from:

- Working Together to Safeguard Children March 2015
- NSCB procedures
- Section 11 Children Act 2004
- Keeping Children Safe in Education September 2016 ("KCSIE")
- Education Act 2011.

The School has a duty to respond to any allegations of misconduct by a member of staff fairly, quickly and consistently. It is in the interests of all that a quick resolution of the allegation is sought. All staff have a duty to safeguard students and the reputation of the School.

If you believe that a member of staff (including a volunteer) has:

- Behaved in a way that has harmed, 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 that s/he would pose a risk of harm if they work regularly or closely with children.

You **must report any concerns** (including rumours and apparent gossip) without hesitation and without discretion. You should take your concerns directly to the Headmaster in order to maintain appropriate levels of confidentiality for all. If the Headmaster is unavailable then the Pastoral Director and Designated Safeguarding Lead (DSL), Sue Baillie, should be informed. If the allegation is against the Headmaster or the Pastoral Director or they are unavailable, the Chairman of Governors, Mr Paul Walker must be informed. The Chairman's contact details are available from the Bursar.

At each stage of the process the School will seek to support all parties through the provision of extra support, care for confidentiality and advice regarding unwanted publicity. Reporting restrictions under the Education Act 2011 apply until the accused person is charged with an offence or the accused effectively waives their right to anonymity by going public themselves. The School will take advice from the LADO, police, and children's social care services to agree how and what information is communicated.

When an allegation is received

The Headmaster, generally in conjunction with the Pastoral Director, will review the allegation objectively and use common sense and professional judgement to decide whether the allegation warrants further investigation by either the police or local authority children's social care services. When it is clear immediately that the allegation is unsubstantiated or malicious, it will be resolved within one week.

If the allegation appears abusive or there is any reason to investigate the allegation further then the Headmaster will contact the Local Authority Designated Officer (LADO) for advice and initial evaluation. This will be done as soon as possible and within one working day following the allegation.

The Newcastle LADO is Melanie Scott (0191 211 6730)

E-mail: melanie.scott@newcastle.gov.uk

Children's Safeguarding Standards Unit

Civic Centre
NE1 8PU

Discussions with the LADO will be recorded in writing and the Headmaster and LADO will agree how communications with both the individual and the parents of the child/children will proceed. It is the School's policy to take advice from the LADO in good time, when there is a possibility that a child may have been harmed or in danger of harm.

The Headmaster will inform the member of staff who is subject to the allegation as soon as possible, after consulting the LADO and any other agencies involved in the case. The member of staff will be advised to contact his or her professional association/union/legal advisor.

Suspension will not be automatic. Any decision to suspend or temporarily re-deploy staff is made without prejudice and rests with the Headmaster, but will be considered in a case where not to suspend may continue or increase the risk of significant harm or hamper investigations. Suspension will be necessary if the allegation warrants investigation by the police or there might be grounds for dismissal. In all other cases the School will consider other arrangements, based on an assessment of risk and on the advice of the LADO. If immediate suspension is considered necessary then the rationale and justification for such a course of action, including what alternatives to suspension were considered, will be agreed and recorded by the Headmaster and the LADO.

Further investigation

If the initial evaluation and discussion with the LADO indicates that no further investigation is required and no criminal offence has been committed and there is no need for a formal disciplinary hearing then appropriate measures will be taken within three working days and both the School and the LADO will make a record of the decision and the reasons for it. If the School believes that there are grounds for a formal disciplinary procedure, then the School will begin the procedures within 15 working days and the LADO will be kept informed.

Under the guidance of the LADO there may be a number of subsequent investigations including further investigations in school. A strategy meeting or an initial evaluation meeting may be held to agree and coordinate what actions are required and by which agency. This meeting will involve the School.

If there is cause to suspect that a child has suffered, or is likely to suffer significant harm Social Care will be requested to hold a *Child Protection strategy meeting* and liaise with the Secure Records Office to access any historical records. Children's Social Care will inform the LADO of the outcome of their enquiries.

If a criminal offence may have been committed there may be the need for a *Police-led strategy meeting*. The police will inform the employer and the LADO of the final outcome i.e. decision not to charge or caution.

Following the completion of all investigations

Once all investigations are complete, the School will then conclude any required and appropriate action and disciplinary process. *If the allegation is substantiated*, the School will consult the LADO to discuss whether a referral should be made to the DBS and this should be made within a month. The LADO will check this has happened.

If the allegation is unsubstantiated (neither proved nor disproved) then the person (and, in the case of a child, their parents) who made the allegation and the member of staff involved will be informed. The School will give due consideration to the need to support both parties and manage future contact between them.

If the allegation *proves to be false or malicious* then the School, in consultation with the LADO, may refer the matter to Children's Social Care to determine whether the child is in need of services or might have been abused by someone else. In all circumstances where an allegation has been deliberately invented or malicious, the School will inform the police who will consider whether any action might be appropriate against the person responsible.

The School has a legal obligation to make a referral to the DBS where we think that an individual has engaged in conduct that harmed or is likely to harm a child; or if a person otherwise poses a risk of harm to a child. The School takes this responsibility very seriously and will make a referral, having consulted with the LADO, even if the person concerned has left the School's employment for any reason.

If a teacher is found to have engaged in *unacceptable professional conduct or conduct that may bring the profession into disrepute* and this resulted in their dismissal, or they would have been dismissed if they had not resigned, then the School has a duty to consider making a referral to the National College for Teaching and Leadership (NCTL) who may make a recommendation to the Secretary of State that a prohibition order is appropriate. A referral to the DBS automatically triggers a referral to NCTL, but the School will always consider and record its decision regarding a separate referral to NCTL even if the DBS referral threshold is not reached.

Record keeping

Unless the allegation is malicious, the School will keep a clear and comprehensive summary of allegations made, details of how the allegation was followed up and resolved, and details of any action taken and decisions reached, on the person's confidential personnel file and give a copy to the individual. The information will be retained on file, including for people who leave the organisation, at least until the person reaches normal retirement age or for 10 years if that will be longer.

Following KCSIE guidance, cases in which an allegation was proven to be false, unsubstantiated or malicious will not be included in an employer reference provided by the School. Similarly, a history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious will be excluded from any reference.

Appendix

Examples of actions interpreted as abusive

Physical Abuse	Sexual Abuse	Emotional Abuse and Neglect
Any form of physical assault (including attempts):- Kicking Punching Pushing Slapping Shaking Throwing a missile	Abuse of a position of trust. Any form of sexual assault. Possession of indecent or abusive photographs or images of children. Showing indecent or pornographic material to children. Inappropriate touching, language or behaviour towards a child.	Racial / homophobic comments or behaviour, or failing to address this in others. Persistent sarcasm or belittling children. Bullying children, or failing to address it in others. Inappropriate punishments. Creating a climate of fear. Failing to protect a child from physical danger.