



RIKKYO SCHOOL

Dealing with Allegations against the Headteacher, Teaching Staff, Support Staff, Supply Teachers, School Volunteers and Contractors

Date	Review Date	Designated Safeguarding Lead	Deputy Designated Safeguarding Lead	Nominated Governor
12/07/2023	12/07/2024	Mr Okuno	Melanie Brown	Mrs Bunday

Important Telephone Numbers	Local Authority Designated Officer (LADO)	0330 222 6450
	Social Services Referrals	01243 642555
	Out of Hours Social Services	
	Police	101

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

<ul style="list-style-type: none"> ▪ Children Act 1989 ▪ Police Act 1997 ▪ Data Protection Act 2018 ▪ Police Act 1997 (Criminal Records) Regulations 2002 ▪ Education Act 2002 ▪ Children Act 2004 ▪ Safeguarding Vulnerable Groups Act 2006 ▪ Education and Inspections Act 2006 	<ul style="list-style-type: none"> ▪ Children and Young Persons Act 2008 ▪ Police Act 1997 (Criminal Records) (No. 2) Regulations 2009 ▪ School Staffing (England) Regulations 2009 ▪ Equality Act 2010 ▪ Education Act 2011 ▪ Protection of Freedoms Act 2012
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The following documentation is also related to this policy:

- Dealing with Allegations of Abuse against Teachers and other Staff: Guidance for Local Authorities, Headteachers, School Staff, Governing Bodies and Proprietors of Independent Schools (DfE)
- Equality Act 2010: Advice for Schools (DfE)
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE)
- Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)
- Data Protection: a toolkit for schools (DfE)

We believe an allegation is best defined as a claim or assertion that someone has done something illegal or wrong, typically one made without proof. It could be information that comes to light suggesting an employee, a supply teacher, a volunteer or a contractor has:



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- behaved in a way that 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 may 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

We have a duty to resolve all cases as quickly as possible and in a fair, thorough and consistent manner.

We recognise that anyone who comes into contact with children such as the Headteacher, teaching staff, support staff, volunteers and contractors are vulnerable to accusations of abuse.

We acknowledge that dealing with allegations is a stressful, demanding, complex and delicate process for all involved. But we will ensure that all allegations will be taken seriously and investigated immediately and impartially in order to provide instant and effective protection for the child concerned and to provide support for the person who is the subject of the allegation. 'The procedures for dealing with allegations need to be applied with common sense and judgment. The following definitions will be used when determining the outcome of allegation investigations:

- **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;
- **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;
- **Unfounded:** where there is no evidence or proper basis which supports the allegation being made.

(Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE))

We will 'make every effort to maintain confidentiality and guard against publicity while an allegation is being investigated.'

We are aware that the 'Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher in a school who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify the teacher as the subject of the allegation).'

We will ensure that any contractor, or any employee of a contractor, who is to work at school, will be subjected to the appropriate level of DBS check. We will not allow any contractor who has not been checked to work unsupervised. The identity of all contractors will be checked on arrival at school.



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We will ensure that an allegation made against a contractor or any employee of a contractor will be investigated by the Headteacher and Designated Safeguarding Lead in the same way as investigating an allegation against a teacher, a member of support staff or a school volunteer.

In the case of an allegation being made against the Headteacher we will ensure the investigation will be conducted by the Chair of Governors who will discuss the allegation with the designated officer.

We will ensure that allegations against a teacher who is no longer teaching will be referred to the police and any historical allegations of abuse will also be referred to the police.

We believe we have a duty of care to all school personnel, support staff, supply teachers, volunteers and contractors. We will provide effective support for anyone facing an allegation and will provide them with a named contact if they are suspended.

We have responsibility to ensure allegations made against any individual not employed by the school, such as supply teachers or volunteers, are 'dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time supports the person who is the subject of the allegation.'

We wish to create a culture of openness that will allow children and school personnel to make truthful reports of any inappropriate behaviour and in the knowledge that all allegations will be taken seriously.

We encourage all school personnel to protect themselves against false accusations by treating all children with dignity and respect, and to ensure that they never work alone with a child, always maintaining a safe and appropriate distance, avoiding physical contact and being cautious when dealing with sensitive moments.

We must ensure that school personnel do not suffer unnecessarily when false allegations have been made against them and that their careers are not wrecked.

We believe it is our duty to establish the reason why pupils make false allegations against school personnel and to put into place support procedures to help pupils overcome any problems they may have.

We understand that we have a legal duty once an allegation has been to undertake a full investigation, to record the decisions reached and action taken.

We believe allegations against staff can be minimised by having in place safer recruitment strategies, appropriate induction and training, an open and transparent safeguarding ethos, a professional code of conduct, regular staff briefing and discussion of safeguarding issues, and by ensuring that pupils are aware of safeguarding issues through PSHE.

We will do everything possible to maintain confidentiality at all times.



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We are aware that the Brexit transition period ended on 31 December 2020 and, therefore, UK organisations that process personal data must now comply with the:

- DPA (Data Protection Act) 2018 and UK GDPR (General Data Protection Regulation) if they process only domestic personal data;
- DPA 2018 and UK GDPR, and the EU GDPR if they process domestic personal data and offer goods and services to, or monitor the behaviour of, EU residents.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We all have a responsibility to ensure equality permeates into all aspects of school life and that everyone is treated equally irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that are connected with this policy.

Aims

- To take all allegations against school personnel, support staff, supply teachers, volunteers or contractors seriously and impartially by providing protection for the child and support for the named person in the allegation.
- To ensure compliance with all relevant legislation connected to this policy.
- To share good practice within the school, with other schools and with the local authority in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- the responsibility to investigate any allegation against the Headteacher;
- delegated powers and responsibilities to the Headteacher to investigate allegations against any member of the school personnel;
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and stakeholders are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- make effective use of relevant research and information to improve this policy;



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- responsibility for ensuring all policies are made available to parents;
- nominated a link governor to:
 - visit the school regularly;
 - work closely with the Headteacher and the coordinator;
 - ensure this policy and other linked policies are up to date;
 - ensure that everyone connected with the school is aware of this policy;
 - attend training related to this policy;
 - report to the Governing Body every term;
 - annually report to the Governing Body on the success and development of this policy.
- responsibility for the effective implementation, monitoring and evaluation of this policy.

Role of the Chair of Governors

When investigating an allegation against the Headteacher the Chair of Governors will:

- inform the Headteacher about the allegation;
- immediately discuss the allegation with the local authority Designated Officer/s 'to consider the nature, content and context of the allegation and agree a course of action';
- record the decision.

Role of the Headteacher

The Headteacher will:

- investigate all allegations against any member of the teaching staff, support staff, supply teachers, volunteers, contractors or any employee of a contractor;
- undertake the following when an allegation is received:
 - Will take the allegation seriously, will keep an open mind and will not promise confidentiality to the informant.
 - Will not undertake an investigation.
 - Will make a written record of the allegation by:
 - using the informants words;
 - including the date, time, place of the incident, and those present;
 - signing and dating the record.
 - Will immediately contact the local authority's Designated Officer.
 - Will not undertake any discussions without the Designated Officer.
 - Will make a written record with the Designated Officer and others.
 - Will ensure the Designated Officer has full details of the person against who a concern has been raised and the person who is the subject of the concern.
- refer any allegation against a teacher no longer working in the school to the police;



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- refer any allegation against a teacher no longer teaching to the police;
- consult with the Local Authority Designated Officer (LADO) when an allegation has been made;
- appoint an independent investigator if the allegation is deemed to be serious;
- share information about the named person in the allegation and the alleged victim with all agencies involved in the investigation;
- keep the person who is the subject of the allegation informed of the progress of the investigation;
- provide support for the person who is the subject of the allegation by:
 - informing them of the concerns or allegations and giving ‘an explanation of the likely course of action unless there is an objection by the children’s social care services or the police’;
 - advising them to contact their trade union representative or a colleague for support;
 - giving access to welfare counselling or medical advice;
 - appointing a named representative who will provide information on the progress of the case and will consider what other support that is appropriate for the individual
- keep parents informed of the investigation and outcome;
- provide appropriate support and counselling for the child and parents during the whole process;
- consider suspending the person who is the subject of the allegation;
- consider suspending the child if it is felt there is a risk of significant harm to the child from the person accused;
- make every effort to maintain confidentiality and to prevent unnecessary publicity;
- provide return to work support such as Occupational Health support for a member of the school personnel returning to work after suspension following a positive conclusion to the investigation;
- consult with the LADO what action should be taken such as referral to children’s social care or disciplinary action if the allegation was found to be false;
- organise a series of safeguarding and child protection workshops to ensure parents are aware of:
 - Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges
 - Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children
 - the Safeguarding and Child Protection policy
 - safeguarding procedures in place;
 - all safeguarding policies;
 - their role in safeguarding and child protection
- work closely with the link governor and the Designated Child Protection Teacher;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy by speaking with school personnel, parents and governors.
- annually report to the Governing Body on the success and development of this policy.



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Role of the Designated Safeguarding Lead

The Designated Safeguarding Lead will:

- ensure the implementation of this policy;
- ensure everyone connected with the school is aware of this policy;
- work closely with the Headteacher and the nominated governor;
- be trained in child protection policy procedures;
- renew training every two years in order to;
 - understand the assessment process
 - understand the procedures of a child protection case conference and child protection review conference
 - understand the specific needs of children in need
 - understand the specific needs of children with special educational needs and those of young carers
 - have in place a secure and accurate record system of all concerns and referrals
- have overall responsibility for:
 - oversight of the procedures for dealing with allegations;
 - resolving any inter-agency issues;
 - liaising with the three safeguarding partners
- provide advice and guidance to the case manager;
- liaise with the police and other agencies;
- monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process;
- take the lead in dealing with child protection issues;
- keep a confidential Child Protection Register of all those pupils known to be at risk and only if it is confirmed by social services that the child is at risk;
- be trained in working with all agencies;
- familiarise school personnel with the policy and procedures;
- investigate and deal with all cases of suspected or actual problems associated with child protection;
- ensure parents are aware that referrals about suspected abuse or neglect may be made;
- make child protection referrals;
- record all child protection referrals;
- co-ordinate action within the school;
- liaise and seek advice from the Local Authority Designated Officer (LADO) when the need arises;
- liaise with social care and other agencies;
- transfer the child protection file of any pupil leaving to join another school;
- provide support for any child at risk;
- not promise confidentiality to any child but always act in the interests of a child;
- act as a source of advice within the school;



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- help create a culture within the school of listening to children;
- keep up to date with all new guidance on safeguarding children;
- keep all school personnel up to date with any changes to procedures;
- organise appropriate training for school personnel and governors;
- ensure all incidents are recorded, reported and kept confidential;
- keep all paperwork up to date;
- report back to the appropriate school personnel when necessary
- annually review the policy with the Head.

Role of the Data Protection Officer

The Data Protection Officer will:

- have expert knowledge of data protection law and practices;
- inform the school and school personnel about their obligations to comply with the Data Protection Act 2018;
- ensure data management is strengthened and unified;
- monitor compliance with the Data Protection Act 2018;
- manage internal data protection activities;
- ensure risk and impact assessments are conducted in accordance with ICO guidance;
- report data breaches within 72 hours;
- ensure individuals have greater control over their personal data;
- ensure that prior to the processing of an individual's data that:
 - the process is in line with ICO guidance;
 - the process is transparent;
 - the individual will be notified;
 - the notification is written in a form that is understandable to children;
 - when sharing an individual's data to a third party outside of school that details for the sharing are clearly defined within the notifications.
- share an individual's data where it is a legal requirement to provide such information;
- process all written subject access requests from individuals within 40 days of receiving them;
- have in place a formal contract or service level agreement with a chosen data processor who is Data Protection Act 2018 compliant;
- ensure the secure disposal of redundant data and IT hardware holding data in compliance with ICO guidance;
- train school personnel;
- conduct audits.
- be the first point of contact for supervisory authorities and for individuals whose data is processed;
- keep up to date documentation of all data protection activities.
- work closely with the Headteacher and nominated governor;
- periodically report to the Headteacher and to the Governing Body;
- annually report to the Governing Body on the success and development of this policy.

Role of School Personnel



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School personnel will:

- comply with all aspects of this policy;
- be aware of all other linked policies;
- maintain high standards of ethics and behaviour within and outside school and not to undermine fundamental British values;
- implement the school's equalities policy and schemes;
- report and deal with all incidents of discrimination;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community.

Procedure to Report Allegations

School personnel must:

- make a dated and timed written record of the disclosure or incident causing concern about a member of the school personnel or a school volunteer;
- inform the Designated Safeguarding Lead;
- make a dated and timed written record of the disclosure or incident causing concern about the Headteacher;
- inform the Chair of Governors who will deal with the allegation;
- make a dated and timed written record of the disclosure or incident causing concern about a pupil;
- inform the Designated Safeguarding Lead.

The Designated Safeguarding Lead will:

- follow up the referral;
- make records of any discussions and any investigation that takes place;
- decide whether to take the referral further or to monitor the situation;
- keep the person informed who initially reported the allegation of the decision made.

The Chair of Governors will:

- make a dated and timed written record of the disclosure or incident causing concern if no written record has been presented to the Chair of Governors;
- inform the LADO.

The Local Authority Designated Officer (LADO) will:

- work with and alongside the school when dealing with allegations against school personnel;
- call for the intervention of the police and children's care services if they feel the allegation is very serious;
- advise the school of the course of action if they consider the intervention by police and children's care services is not necessary;



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- consult with the school what action should be taken such as referral to children's social care or disciplinary action if the allegation was found to be false.

The Named Person in the Allegation

The named person in the allegation will:

- be kept informed of the course of action after the initial consultation with the LADO;
- be kept informed of all stages of the investigation;
- be advised to contact their union or professional association as soon as an allegation has been made;
- be advised by their union or professional association at all stages of the investigation.

Suspension of the Named Person in the Allegation

Suspension will only take place if:

- a child or children are at risk;
- the allegation is of a very serious nature;
- it will help in the smooth running of the investigation.

Records of Allegations

A detailed record of each allegation must be kept which clearly shows the:

- nature of the allegation
- follow-up action
- decision reached
- action taken

Written records must be:

- kept on the person's confidential personnel file with a copy given to the person concerned
- kept for a period of 10 years

Details of allegations that are found to be malicious (that is allegations made to deliberately to deceive) will be removed from personnel records and will not be included in any future references.

In cases of an allegation being deliberately invented or malicious we will consider taking action against those who have made false accusations.

Role of Parents/Carers

Parents/carers will:

- be aware of and comply with this policy;



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- be aware that under section 141F of the Education Act 2002 that there is a prohibition on reporting or publishing allegations about teachers;
- be invited to attend a series of safeguarding and child protection workshops to ensure parents are aware of:
 - Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges
 - Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children
 - the Safeguarding and Child Protection policy
 - safeguarding procedures in place;
 - all safeguarding policies;
 - their role in safeguarding and child protection

Confidentiality

When an allegation has been made and during the investigation we will do everything possible to maintain confidentiality.

Raising Awareness of this Policy

We will raise awareness of this policy via:

<ul style="list-style-type: none">▪ School Handbook/Prospectus;▪ School website;▪ Staff Handbook;▪ Meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops;▪ School events;▪ Meetings with school personnel;▪ Written communications with home such as weekly newsletters and of end of half term newsletters;▪ Annual report to parents;	<ul style="list-style-type: none">▪ Headteacher reports to the Governing Body;▪ Information displays in the main school entrance;▪ Text messages▪ Email▪ Social media:<ul style="list-style-type: none">□ Facebook□ Twitter□ Virtual pin boards□ School blog
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Training

We:

- have in place appropriate training for this policy that is undertaken by a registered training provider that covers:
 - All aspects of this policy
 - Safeguarding and Child Protection
 - School Personnel Code of Conduct
 - Disciplinary Procedure



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- Equal opportunities
- Inclusion
- ensure the content of all training is correct, delivered well and engages staff as we believe that the more engaging training is, the better the outcomes that we need to measure;
- can provide data that evidences staff understanding by using a simple short multiple-choice test through one of the following applications such as Google Forms, Microsoft Forms, Kahoot or SurveyMonkey;
- have in place evidence for all staff:
 - that highlights the knowledge gaps in the training;
 - that shows how those knowledge gaps were corrected

Safeguarding

We are committed to safeguarding and promoting the welfare of all children as the safety and protection of children is of paramount importance to everyone in this school. We work hard to create a culture of vigilance and at all times we will ensure what is best in the interests of all children.

We believe that all children have the right to be safe in our society. We recognise that we have a duty to ensure arrangements are in place for safeguarding and promoting the welfare of children by creating a positive school atmosphere through our teaching and learning, pastoral support and care for both pupils and school personnel, training for school personnel and with working with parents. We teach all our children about safeguarding.

We work hard to ensure that everyone keeps careful watch throughout the school and in everything we do for possible dangers or difficulties. We want all children to feel safe at all times. We want to hear their views of how we can improve all aspects of safeguarding and from the evidence gained we put into place all necessary improvements.

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

Race Disparity Audit

We acknowledge the findings of the Race Disparity Audit that clearly shows how people of different ethnicities are treated across the public services of health, education, employment and the criminal justice system.



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The educational section of the audit that covers: differences by region; attainment and economic disadvantage; exclusions and abuse; and destinations, has a significant importance for the strategic planning of this school.

Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.

Linked Policies

<ul style="list-style-type: none"> ▪ Safeguarding and Child Protection ▪ Disciplinary Procedure ▪ School Personnel Code of Conduct 	<ul style="list-style-type: none"> ▪ Data Protection and the General Data Protection Regulation (GDPR)
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See Appendices Documents section on Policies for Schools Website

<ul style="list-style-type: none"> ▪ Frequency of Policy Monitoring ▪ Monitoring Implementation and Policy Effectiveness Action Plan 	<ul style="list-style-type: none"> ▪ Initial Equality Impact Assessment ▪ Policy Evaluation ▪ Policy Approval Form
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We believe this school policy:

- is an essential part of the school;
- supports staff in managing certain situations;
- forms an important framework that will ensure consistency in applying values and principles throughout the establishment;
- provides guidance, consistency, accountability, efficiency, and clarity on how the school operates;
- provides a roadmap for day-to-day operations;
- ensures compliance with laws and regulations, gives guidance for decision-making, and streamlining internal processes;
- is designed to influence and determine all major decisions, actions and all activities taking place within the boundaries set by them;
- stems from the school's vision and objectives which are formed in strategic management meetings

Headteacher:		Date:	
Chair of Governing Body:		Date:	