

Allegation Management Policy

Last review Date: September 2023

We are committed to reviewing our policy and good practice annually.

Willow Banks Forest School aims to keep all children safe.



Rationale

Willow Banks Forest School's Safeguarding Policy defines safeguarding as when:

"all agencies take all reasonable measures to ensure that the risks of harm to children's welfare are minimised. Where there are concerns, all agencies take action to address those concerns, working to agreed local policies and procedures in full partnership with other local agencies."

Therefore we recognise it is essential, that any allegation of abuse made against a forest school lead, other member of staff or volunteer in an education setting. Is dealt with fairly, quickly, and consistently, in a way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation.

This policy is written in line with statutory guidance for schools and colleges; Keeping Children Safe in Education 2022 and Working Together to Safeguard Children 2018.

[Keeping children safe in education 2022.pdf](#)

[Working together to safeguard children 2018](#)

We work within the procedures and recommendations of the Pan-Dorset Safeguarding Children Partnership:

<http://pandorsetscb.proceduresonline.com/>

And the procedures and recommendations of the Somerset Safeguarding Children Partnership:

<https://www.proceduresonline.com/swcpp/somerset/index.html>

In addition the Education Act 2002 (Section 175) and Section 11 of the Children Act (2004) place a statutory responsibility on Local Authorities (LAs) and governing bodies to ensure

that schools/services have procedures in place for safeguarding and promoting the welfare of children.

New guidance issued by the Department for Education (DfE) in 2012 (Dealing with Allegations of Abuse Against Teachers and Other staff) also introduced a new outcome category of False Allegation.

In order to manage allegations against child care professionals, every Local Authority appoints a Local Authority Designated Officer (LADO). The LADO should be alerted to all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against children, or related to a child, or
- behaved towards a child or children in a way that indicates s/he may pose a risk to children. (Working Together 2018)

In this context, the term "professional" includes paid employees, volunteers, casual/agency staff and self employed workers who will have contact with children as a part of their role. The LADO ensures that all allegations or concerns about professionals or adults working or volunteering with children are recorded appropriately, monitored and progressed in a timely and confidential way. The LADO is involved from the initial phase of the allegation through to the conclusion of the case. The LADO provides advice and guidance to employers and voluntary organisations, liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

In the first instance, please could you report your concern/allegation against a person who works with children in Dorset, via our e-referral form which can be accessed here: [Referral – Management of Allegations against people who work with children \(Dorset\)](#) . Please complete the form according to your particular circumstance. Once completed, the form will be sent directly to the LADO, who will respond to your query as soon as possible.

If you are unsure whether the concern meets the Management of Allegations threshold for consideration, then please select the option for advice and guidance only within the form. The LADO will then contact you back via the contact details you provide in the form to discuss your query further.

If you would prefer to contact the LADO directly, or to discuss a concern that the LADO is already aware of, then please contact

01305 221122 or

LADO@dorsetcouncil.gov.uk

In Somerset, The LADO is Anthony Goble.

To notify the LADO of an allegation, an Allegations Reporting Form (ARF) will need to be completed and forwarded to Somerset Direct:

sdinputters@somerset.gov.uk

Alternatively you can phone Somerset Direct on 0300 123 2224 and request an ARF.

Or the link for the document can be accessed here: [Allegations- Reporting -Form](#)

Criteria

In accordance with the statutory Department of Education guidance 'Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children' (2018) where an allegation is made against anyone who works with children at Willow Banks Forest School, that s/he

- has behaved in a way that has harmed a child, or may have harmed a child.
- Possibly committed a criminal offence against or in relation to a child
- Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children

The following procedure will be implemented:

Allegations regarding person(s) working in or on behalf of the forest school (including volunteers)

Keeping Children Safe in Education (2022) Part 4 – Allegations of abuse made against forest school leaders and other staff, including supply staff and volunteers. Where an allegation is made against any person working in, or on behalf of, the forest school that he or she has:

- 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 will pose a risk of harm if they work regularly or closely with children

Whilst we acknowledge such allegations may be false, malicious or misplaced, we also acknowledge they may be founded. It is, therefore, essential that all allegations are investigated properly, in line with agreed procedures and outcomes are recorded. All forest school staff will maintain a culture of vigilance based on the notion that 'it could happen here'. Forest school staff are expected to maintain professional boundaries at all times in line with Willow Banks Staff Code of Conduct.

Staff will be encouraged to use the Willow Banks Whistleblowing policy if they have concerns regarding the conduct or behaviour of a colleague and they feel that matter has not been addressed appropriately by the forest school.

It is important that all staff understand the process and procedures to follow if they have a safeguarding concern about another staff member.

Initial Action by person receiving or identifying an allegation or concern

- Treat the matter seriously and keep an open mind;
- Make a written record of the information using forms in the safeguarding folder. Including the time, date and place of incident/s, persons present and what was said and sign and date this;
- Immediately report the matter to the Forest School Manager or designated person (unless the allegation is against the Forest School Manager or designated person, in which case the Deputy DSL and the WSG Trustees must be informed).

Initial Action by the Forest School Manager

- Obtain written details of the concern or allegation, but do not investigate or interview child, adult or witnesses;
- Contact the Local Authority Designated Officer (LADO) within 1 working day. The LADO will provide advice and guidance to schools and colleges when considering allegations against adults working with children. The LADO's role is not to investigate the allegation, but to ensure that an appropriate investigation is carried out, whether that is by the police, local authority children's social care, the school or college, or a combination of these. In straightforward cases, the investigation should normally be undertaken by a senior member of the school's or college's staff.

Subsequent Action by the Forest School Manager (or designated person)

- In consultation with the deputy safeguarding lead conduct a disciplinary investigation, if an allegation indicates the need for this;
- Contribute to the child protection process by attending professional strategy meetings;
- Ensure clear and comprehensive records regarding the allegation, and action taken, and outcome are retained on the staff member's personnel file;
- Consider along with the LADO whether a referral to the DBS should be made.
- Dates for subsequent reviews, ideally at fortnightly (and no longer than monthly) intervals, should be set at the review meeting if the investigation continues.

Low-level concerns

As part of the whole forest school approach to safeguarding, we will ensure that the manager promotes an open and transparent culture in which all concerns about all adults working in or on behalf of the forest school or college (including supply staff, volunteers and contractors) are dealt with promptly and appropriately.

The forest school will create a culture in which all concerns about adults are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. If implemented correctly, this should:

- enable the manager and DSL's to identify inappropriate, problematic or concerning behaviour early
- minimise the risk of abuse, and
- ensure that adults working in or on behalf of the forest school are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the forest school.

Examples of Low Level Concerns

The term 'low-level' concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - 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 harm threshold or is otherwise not 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, contrary to school policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating children.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

Low-level 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.

It is crucial that all low-level concerns are shared responsibly with the right person and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from becoming the subject of potential false low-level concerns or misunderstandings.

Staff code of conduct and safeguarding policies

As good practice the forest school manager should set out their low-level concerns policy within their staff code of conduct and safeguarding and child protection policies. They should make it clear to staff what a low level concern is and the importance of sharing low-level concerns, and an explanation of what the purpose of the policy is – i.e., to create and embed a culture of openness, trust and transparency in which the forest school's values and expected behaviour set out in the staff code of conduct are lived, monitored and reinforced constantly by all staff.

The forest school manager should ensure their staff code of conduct, behaviour policies and safeguarding policies and procedures are implemented effectively and ensure that appropriate action is taken in a timely manner to safeguard children and facilitate a whole school or college approach to dealing with any concerns.

The forest school can achieve the purpose of their low-level concerns policy by:

- ensuring their staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from inappropriate, problematic or concerning behaviour, in themselves and others
- empowering staff to share any low-level safeguarding concerns
- addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- handling and responding to such concerns sensitively and proportionately when they are raised, and
- helping identify any weakness in the forest school's safeguarding system.

Sharing low-level concerns

The forest school manager should ensure that their low-level concerns policy contains a procedure for sharing confidentiality such concerns which is clear, easy to understand and implement. Whether all low-level concerns are shared initially with the manager, DSL, Deputy DSL (or a nominated person, is a matter for the forest school to decide. If the deputy DSL, then the Deputy DSL should inform the manager/DSL of all the low-level concerns and in a timely fashion according to the nature of each particular low-level concern. The manager/DSL should be the ultimate decision maker in respect of all low-level concerns, although it is recognised that depending on the nature of some low-level concerns and/or the role of the deputy DSL in the forest school, the manager/DSL may wish to consult with the deputy DSL and take a more collaborative decision making approach.

Low-level concerns which are shared about supply staff and contractors should be notified to their employers, so that any potential patterns of inappropriate behaviour can be identified.

If the forest school are in any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, they should consult with their LADO.

The forest school manager should ensure they create an environment where staff are encouraged and feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

Recording low-level concerns

All low-level concerns should be recorded in writing. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

Schools and colleges can decide where these records are kept, but they must be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

Records should be reviewed so that potential patterns of inappropriate, problematic or concerning behaviour can be identified. Where a pattern of such behaviour is identified, the forest school should decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a low level concern to meeting the harm threshold, in which case it should be referred to the LADO. Consideration should also be given to whether there are wider cultural issues within the school or college that enabled the behaviour to occur and where appropriate policies could be revised, or extra training delivered to minimise the risk of it happening again.

The forest school will retain the information until the individual leaves their employment.

References

The forest school should only provide substantiated safeguarding concerns/allegations (including a group of low-level concerns about the same individual) that meet the harm threshold in references. Low-level concerns should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference.

Responding to low-level concerns

The forest school's low-level concerns policy should set out the procedure for responding to reports of low-level concerns. If the concern has been raised via a third party, the headteacher/principal (or a nominated deputy) should collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously, and
- to the individual involved and any witnesses.

The information collected will help them to categorise the type of behaviour and determine what further action may need to be taken. This information needs to be recorded in writing along with the rationale for their decisions and action taken.

A good low-level concerns policy will simply be a reflection and extension of the forest school's wider staff behaviour policy/code of conduct. More detailed guidance and case studies on low-level concerns can be found in:

Developing and implementing a low-level concerns policy: a guide for organisations which work with children (farrer.co.uk).

Further action:

Supporting those involved

Parents or carers of any child involved will be told about allegations as soon as possible, after discussion with the LADO as to the most appropriate way this should be done and by whom. In cases where a child has been injured whilst in the school's care, the parents will be informed immediately.

The forest school manager will keep any staff member who is the subject of an allegation informed of the progress of the case and will arrange appropriate support/advise the accused to seek support from their trade union or other relevant professional association.

Confidentiality

Every effort will be made to maintain confidentiality and guard against publicity.

Record keeping

The forest school will keep details of any allegations made and how the allegation was followed up and resolved. These records will be kept until the person reaches normal retirement age, or 10 years if that is longer, including for people who leave our employment. A copy will be given to the person. The purpose of the record will be to enable accurate information to be given in response to any future request for a reference and to provide clarification for future DBS disclosures.

Outcomes

If after initial consideration between the Designated Safeguarding Lead and the LADO it is clear that police or social care investigations are not necessary, the forest school will be guided by the LADO as to the most appropriate action.

The nature and circumstances of the allegation and evidence will determine the next course of action. If the nature of the allegation does not require formal disciplinary action, appropriate action will be instituted within 3 working days. If a disciplinary hearing is required and can be held without any further investigation, the hearing will be held within 15 working

days. If, on conclusion of the case, it is decided that the person can return to work, the forest school manager will consider how best to facilitate the return and provide relevant support to the staff member and consider how to best manage the person's contact with the child who made the allegation. The parents/carers of the child will be kept fully informed of any decisions/action taken by the Forest school manager.

Resignations and 'Compromise Agreement'

If an employee resigns or ceases to work for the school, any allegation must still be followed up in accordance with these procedures.