Jumeirah English Speaking School

Policies and Procedures for Safeguarding and Child Protection

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This policy takes into account the following UK legislation

- *The Children Act 1989*
- Section 175 of the *Education Act 2002* (local authorities, governing bodies of maintained schools and institutions in the further education sector)
- Section 157 of the *Education Act 2002* and the *Education (Independent School) Standards (England) Regulations* 2010
- *The Children Act 2004*
- *Working Together to Safeguard Children (March 2015 latest version)*
- *Keeping Children Safe in Education (26th May 2016)*

Contents

1. SAFEGUARDING 4
   1.1. Prevention 4
   1.2. Protection 5
   1.3. Reporting 5
2. CHILD PROTECTION POLICY AND PROCEDURES 5
   2.1. Introduction 5
   2.2. Role of the DSL and DSP 6
      2.2.1. Names of the Designated Senior Persons 6
      2.2.2. Raising Awareness 7
      2.2.3. Training and Support 7
      2.2.4. Referrals 8
   2.3. Role of The Board of Governors 9
      2.3.1. The responsibilities of the Child Protection Governor 9
      2.3.2. Reviews 9
   2.4. Safeguarding Children: Information and Guidance for Staff 10
      2.4.1. Support for Children 10
      2.4.2. Signs of abuse and neglect 10
      2.4.3. Staff awareness 11
      2.4.4. Staff Safety 12
      2.4.5. Pastoral role 12
      2.4.6. Record keeping 13
      2.4.7. Activities, visits and supervision 13
      2.4.8. Acceptable use of ICT 13
      2.4.9. Medicines 13
   2.5. Role of Staff 13
      2.5.1. Concerns about a child (including abuse by a pupil or group of pupils) 13
      2.5.2. Procedure following a disclosure 14
      2.5.3. Written records 15
      2.5.4. Action by the Designated Senior Person (The relevant Headteacher) 15
3. ALLEGATIONS OF ABUSE AGAINST A MEMBER OF STAFF 16
   3.1. Duties of The School as an employer 16
   3.2. Initial Considerations 16
   3.3. Procedure following an allegation against a member of staff 17
      3.3.1. Initial investigation 17
      3.3.2. Further Investigation 17
      3.3.3. Communications with parents 17

3.3.4. Suspension 18
3.3.5. Timescales 18
3.3.6. Supporting Staff 19
3.3.7. Confidentiality 19
3.3.8. Resignations, Dismissal, Ceasing to provide services, 'Settlement Agreements' and References 19
3.3.9. Record keeping 20
3.3.10. Action on conclusion of a case 20
3.3.11. Action in respect of unfounded or malicious allegations 21
3.3.12. Learning lessons 21
APPENDIX 1: GUIDANCE ON HOW TO RESPOND TO A CHILD WANTING TO TALK ABOUT ABUSE: 22
APPENDIX 2 CHILD PROTECTION RECORD OF CONCERN 24
APPENDIX 3: FLOW CHART ON HOW TO DEAL WITH CONCERNS. 26

1. SAFEGUARDING

Jumeirah English Speaking School (the School) recognises its responsibility to safeguard and promote the welfare of the children and young people in their care. In formulating these policies and procedures, the School has taken due regard to the most recent Child Protection legislation in the UAE and the UK; and has consulted with the Dubai Community Development Authority Child Protection Centre.

All pupils have the right to protection, regardless of age, gender, ethnicity, disability, sexuality or beliefs. The School recognises its legal duty to work with and in accordance with locally agreed inter-agency procedures. This responsibility is underpinned by the following aims:

- To protect children from harm (maltreatment);
- To prevent impairment of children's health and development;
- To ensure children grow up in circumstances consistent with the provision of safe and effective care;
- To take action to enable all children to have the best outcomes.

The School addresses their commitment to these aims through:

1.1. Prevention

By ensuring all reasonable measures are taken to minimise the risk of harm to children's welfare, including:

- Appointing an overall **Designated Safeguarding Lead** (**DSL** – See *Working Together to Safeguard Children (2015))* (**The Director**), and a **Designated Senior Person (DSP)** in every School (**The relevant Headteacher**)
- Ensuring safer recruitment practice.
- Ensuring through training that all staff are aware of and committed to the Policy and Procedures for Safeguarding and Child Protection.
- Adopting a supportive, open and accepting attitude towards children so that they feel valued, listened to and respected.
- Establishing a positive and secure environment, in which children can learn and develop.
- Including in the curriculum, activities and opportunities for PSHE which equip pupils with the skills they need to stay safe from abuse and which will help them develop realistic attitudes to the responsibilities of adult life.
- Providing pastoral support that is accessible and available to all pupils and ensuring that pupils know to whom they can talk about their concerns both within and beyond school.

1.2. Protection

By ensuring all appropriate actions are taken to address concerns about the welfare of a child or children, working with agreed local policies and procedures in full partnership with other local external agencies, including KHDA, the Child Protection Centre and, where necessary, the Police. This may include:

- Sharing information about concerns with agencies that need to know and involving children and their parents/carers appropriately.
- Monitoring children known or thought to be at risk from harm and contributing to assessments of need and support packages for those children.
- In the cases of domestic abuse, the Dubai Child Protection Centre runs a safe refuge for girls (and boys under the age of 12). The Dubai Child Protection Centre Helpline is 800-988 (24 hour 7 days a week).

1.3. Reporting

The School, under inter-agency procedures, will report complaints that raise Child Protection issues.

National laws in the U.A.E. govern any legal action taken in cases of child abuse. However, staff should know that upon allegation they may also be prosecuted in their country of origin or residence. For example,

- In the case of employees from the UK, the School will also report to the Disclosure and Barring Service (DBS) within one month of their leaving employment, any person (whether employed, contracted, volunteer or student) whose services are no longer used because he/she is considered unsuitable to work with children.
- In the case of employees from other countries, the School will inform their relevant safeguarding authorities and teaching professional bodies.

2. CHILD PROTECTION POLICY AND PROCEDURES

2.1. Introduction

Child protection is one very important aspect of safeguarding. It refers to the activity which is undertaken to protect specific children who are suffering, or at risk of suffering, significant harm. The term 'significant harm' was defined by The Children Act of 1989 as the threshold that justifies compulsory intervention in family life in the best interests of children, to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm.

Whilst there are no absolute criteria on which to rely when judging what constitutes significant harm, the following factors are used by the **DSL** and the **DSP**s in assessing any case:

- The degree and extent of physical harm;
- The duration and frequency of abuse and neglect;
- The extent of premeditation;
- The presence and degree of threat, coercion, sadism.

Sometimes, a single traumatic event may constitute significant harm (e.g. a violent assault, suffocation or poisoning), but more often, it is the consequence of a compilation of significant events (both acute and long-standing) which interrupt, change or damage the child's physical and psychological development. (Taken from *Working together to Safeguard Children (2006)*)

Staff should be clear that they must not make judgements or carry out investigations. The information in these procedures must be read in the context of the specific advice offered herein, in terms of how to act in cases where safeguarding and/or child protection issues are suspected.

2.2. Role of the DSL and DSP

The **Designated Safeguarding Lead** (**DSL** = overall Designated Senior Person) for Child Protection in the School is **The Director** and all referrals and paperwork must be held by his office.

There is also a Designated Senior Person (**DSP – The Relevant Headteacher**) who takes responsibility for child protection matters in each school within JESS. (In the event of the absence of any **DSP** another **DSP** within the organisation will be empowered to deal with matters in the relevant school).

It is the expectation of the role that the **DSL** (**The Director**) is the primary communicator with all external agencies.

All paperwork will be held by **The Director** in his role as overall **DSL**, although copies will be held by **The relevant Headteachers** in their roles as **DSP**.

2.2.1. Names of the Designated Senior Persons

At JESS the management staff with designated responsibility for Child Protection issues within each part of the school are as follows:

<table>
<tr><th></th><th>Secondary</th><th>Ranches Primary</th><th>Jumeirah Primary</th></tr>
<tr><td>Designated Senior Lead (DSL)</td><td colspan="3">Mark Steed, Director of JESS</td></tr>
<tr><td>Designated Senior Person (DSP)</td><td>Shane O'Brien
Headteacher
(Deputy DSL)</td><td>Darren Coulson,
Headteacher</td><td>Asa Firth
Headteacher</td></tr>
<tr><td>Deputy Designated Person</td><td>Ian Thurston
Deputy Head Teacher</td><td>Orla Rogers
Learning Support Teacher</td><td>Caroline Palmer
Learning Support Teacher</td></tr>
<tr><td rowspan="2">Health and Welfare Coordinators</td><td colspan="2">Patricia Jones,
School Nurse</td><td>Rhona Andrews,
School Nurse</td></tr>
<tr><td colspan="3">Jacqueline Lawson,
School Counsellor/ Psychologist</td></tr>
</table>

Together, the **DSL** and the **DSP**s hold the responsibilities listed below.

2.2.2. Raising Awareness

The School, through the **Designated Safeguarding Lead (The Director)**, undertakes:

- To monitor and review annually (in conjunction with The Board of Governors), the effectiveness of the Safeguarding Policy and Child Protection Procedures, to ensure they comply with current best practice.
- To ensure the policies and procedures adopted by The Board of Governors are fully implemented and followed by all staff.
- To ensure parents have access to the Procedures for Safeguarding and Child Protection (available on the website and hard copy provided on request).
- To ensure, where necessary, that records are passed on to the receiving school if a pupil transfers.
- To ensure the child's wishes or feelings are taken into account when determining what action to take and what services to provide to protect individual children through ensuring there are systems in place for children to express their views and give feedback.

2.2.3. Training and Support

The School, through the **Designated Safeguarding Lead** undertakes:

- To ensure that all **DSP**s receive *Level Two Training* and refresher training at two yearly intervals. This training is in child-protection case conferences, supporting children in need, record keeping and promoting a culture of listening to children.
- To ensure that **all staff who work with children** receive *Level One Training* to equip them to carry out their responsibilities for safeguarding children effectively and that this is kept up to date by refresher training at three yearly intervals.
- To ensure that new staff receive a safeguarding children induction within 7 working days of commencement of their employment.
- To ensure that temporary staff and volunteers are made aware of the school's arrangements for safeguarding children within 7 working days of their commencement of work, including provision of this document, the code of conduct for staff, the name and contact details of the **Designated Safeguarding Lead** (**The Director**) and a copy of *'Keeping Children Safe in Education' (2016):* information for all school staff'.
- To ensure sufficient resources and time are allocated to enable the **DSP**s and other staff to discharge their responsibilities, including taking part in strategy discussion and other inter-agency meetings, and contributing to the assessment of children;
- To ensure that all staff and volunteers feel able to raise concerns about poor or unsafe practice with regard to safeguarding children, and to treat such concerns sensitively and effectively in a timely manner in accordance with the school's Whistle Blowing Policy.
- To hold, and be conversant with the School's Child Protection procedures.

- To hold a copy of the KHDA Safeguarding procedures and be fully conversant with these.

- To maintain an up to date central database detailing dates of training for all JESS staff, the level of training received and the dates of when refresher training is required.

Role	Level of Training	Frequency of Refresher Training
DSL (The Director)	Level 3	Every 2 Years
Deputy DSL (Headteacher Secondary)	Level 3	Every 2 Years
DSP (The Relevant Headteacher)	Level 2	Every 2 Years
All staff who work with children	Level 1	Every 2 years
The Board Member Responsible for Safeguarding	Level 2	Every 3 years
The Board of Governors	Level 1	On appointment as a Governor
Safeguarding Trainers	Level 3	Every 2 Years

The School will appoint a Safeguarding Trainer (Level 3 trained) for both the Jumeirah and Arabian Ranches campuses, so that there can be effective and timely training of new staff and refresher training of existing staff (when required).

2.2.4. Referrals

The School, through the **Designated Safeguarding Lead**, undertakes:

- To ensure that the school operates within the UAE legislative framework and recommended guidance, in accordance with locally agreed inter-agency procedures.

- To develop effective working relationships with other agencies and services.

- To decide upon the appropriate level of response to specific concerns about a child, referring to local guidance on thresholds and obtaining information on borderline cases. Responses may include discussions with parents, assessment under the Common Assessment Framework (CAF) or referral to relevant external agencies.

- To liaise and work with KHDA and the Dubai Child Protection Centre.

- To ensure that accurate safeguarding records relating to individual children are kept separate from the academic file with **The Director** as **Designated Safeguarding Lead**, marked 'Strictly Confidential' and are passed on securely should the child transfer to a new educational provider.

- To submit reports and ensure the school's attendance at child protection conferences.
- To contribute to decision making and delivery of actions planned to safeguard the child.
- To ensure that the school monitors effectively children about whom there are concerns.
- To notify external agencies of any serious incident or injury (or death), of any child while in the care of the school, and to act upon any advice from those agencies.
- To ensure that the **Board Member Responsible for Safeguarding** is kept fully informed of any concerns.

2.3. Role of The Board of Governors

The Governing Body appoint a designated **Board Member Responsible for Safeguarding** to take specific responsibility for this area but recognise that the Safeguarding duties remain the responsibility of the whole Governing Body.

- The **Board Member Responsible for Safeguarding** is **Sapna Verma**

The Board of Governors will undertake basic Child Protection training.

2.3.1. The responsibilities of the Child Protection Governor

These include:

- Ensuring that the School has Policies and Procedures for Safeguarding and Child Protection, known to all staff and governors, which are in accordance with inter-agency procedures and that these are made available to all parents.
- Working with the **Designated Safeguarding Lead** (**The Director**) and the Board of Governors to carry out an annual review and audit to judge the efficiency with which the procedures have been implemented and to ensure that any deficiencies are remedied immediately.

2.3.2. Reviews

The Board of Governors reviews its Safeguarding policy and Child Protection Procedures annually.

The Board of Governors actively discusses the procedures and their implementation regularly at their meetings.

2.4. Safeguarding Children: Information and Guidance for Staff

All staff are required to have read 'Keeping Children Safe in Education: information for all school and college staff (May 2016)'

2.4.1. Support for Children

The School recognises that:

- A child who is abused or witnesses violence may find it difficult to develop and maintain a sense of self-worth.
- A child in these circumstances may feel helpless and humiliated and may feel self-blame.
- The school may provide the only stability in the lives of children who have been abused or who are at risk of harm.
- Research shows that the behaviour of a child in these circumstances may range from that which is perceived to be normal, to aggression or withdrawal.

The School will support all pupils by:

- Encouraging self-esteem and self-confidence whilst not condoning aggression or bullying.
- Promoting a caring, safe and positive environment within the School.
- Liaising and working closely together with all other support agencies involved in the safeguarding of children.
- Notifying the relevant external agencies as soon as there is a significant concern.
- Providing continuing support to a pupil, about whom there have been concerns, who leaves the School (other than at the end of Y13) by ensuring that appropriate information is forwarded under confidential cover to the pupil's new school.

2.4.2. Signs of abuse and neglect

Abuse and neglect are forms of maltreatment of a child. Someone may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or an institutional or community setting; by those known to them, or more rarely, by a stranger. They may be abused by an adult or adults or another child or children.

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child, including by fabricating the symptoms of, or deliberately causing, ill health to a child.

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person, age or developmentally inappropriate expectations being imposed on children, causing children frequently to feel frightened, or the exploitation or corruption of children.

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts. They may include involving children in looking at, or in the production of, pornographic material or encouraging children to behave in sexually inappropriate ways.

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development, such as failing to provide adequate food, shelter and clothing, or neglect of, or being unresponsive to, a child's basic emotional needs.

Child Sexual Exploitation and Female Genital Mutilation. All staff should be aware of the information on these areas (see *'Keeping Children Safe In Education (May 2016)'*, p8).

2.4.3. Staff awareness

Staff should be aware of the following signs that may indicate abuse.

Possible **physical signs** may include:

- unexplained or repeated injuries
- bruises in odd places (non bony areas)
- marks of slapping, biting, gripping etc.
- cuts in odd places / evidence of deliberate self-harm
- poor hygiene
- marked weight fluctuations

If an injury is considered to be of such severity that the child requires immediate medical treatment (i.e. Emergency Department) that help should be sought in accordance with local procedures and the parents (as appropriate) informed at once.

Possible **behavioural signs** may include:

- any comments children make which give cause for concern
- concerns about domestic violence
- a marked change in behaviour
- eating disorders
- excessively affectionate or sexual behaviour
- emotional isolation
- school refusal and significant school absence
- an inability to sleep
- theft

- (new) habits such as thumb-sucking
- 'frozen watchfulness'
- any deterioration in a child's general well-being
- reluctance to participate in P.E. games or swimming

Staff should remember that these symptoms are 'possible' signs and do not automatically mean that abuse has or is taking place; there may be other explanations. In most cases it will be appropriate for staff to discuss observations with the Head of Year to help to decide whether it should be referred to the Designated Senior Person (The Headteacher of the relevant school).

2.4.4. Staff Safety

Teachers are expected to fulfil many roles in and out of the classroom and will work with large and small groups of pupils. In addition, the teacher may often find themselves *in loco parentis (in the place of the parent)*.

The law is weighted in favour of the child, applying a burden on staff to safeguard children's welfare and providing for the child's protection rather than protecting the adult. Because of the requirement for schools and agencies to share information about allegations, there is little anonymity once an allegation has been made, even if it turns out to be false in the end. The burden of evidence is to disprove rather than prove the allegation. Given the risk of false alarms and even deliberate hoaxes on the part of pupils, staff are advised to think carefully about the setting and nature of their varied relationships with their pupils so as not to lay themselves open to undue suspicion or accusation.

Coping with concerns about the possible abuse of a child can be very stressful for all involved, however the first responsibility is to the child. The member of staff/volunteer should therefore, consider seeking support for him/herself and discuss this with the relevant DSP in school (**The relevant Headteacher**). The School's Counsellor is also available to staff.

2.4.5. Pastoral role

Pastoral interaction between teachers and pupils is an intrinsic part of the School's educational provision, however, the following points are worth bearing in mind:

- If engaging with pupils in a non-public setting, it is <u>prudent to meet with at least two pupils at any one time</u>. This also applies to social gatherings.
- Inappropriate physical contact must be avoided. The following is a (non-exhaustive) list of examples of appropriate physical contact and 'non-abusive' actions:
    - Applying restraint to prevent a pupil self-harming or harming another person
    - Removing, with reasonable force, potentially dangerous items from a pupil's possession, or a pupil from a dangerous location
    - Upon obtaining permission from the pupil, an instrumental teacher may at times need to aid the pupil in the playing of an instrument
    - Shepherding pupils, for example with a hand on back or shoulder

- Comforting, for example with a hand on shoulder, back or arm; and
- Securing attention by tapping a pupil's shoulder

- It is always unacceptable to harm a pupil.

2.4.6. Record keeping

- Accusations by staff against pupils, beyond the trivial, should be recorded through the normal channels for reporting pupil issues. If the need to question a pupil about any serious or potentially delicate matter arises, it is advisable to do so in the presence of an adult witness, with a written (dated) record of the interaction.

- Staff are asked to bear in mind that a pupil's Head of Year should be kept properly informed of any interaction with a pupil that might have subsequent repercussions (e.g. actions, conversations or questioning).

2.4.7. Activities, visits and supervision

- Staff are expected to adhere to the policy on Visits and Activities out of School with regard to supervision, security and safety.

- Staff should ensure that if they are in charge of any school activity or facilities where safety regulations and precautions are required, these are clearly published and the attention of pupils is drawn to them from time to time. Any accidents or other untoward incidents should always be recorded, signed and dated and a written record sent to the Health Office.

- It is important not to place pupils of the same or differing age groups in situations which might make bullying, intimidation or other pupil-to-pupil abuse more likely and, where such situations might arise, it is important that proper adult supervision be arranged. Senior pupils, assisting the supervision of junior ones, should also be aware of this precaution.

2.4.8. Acceptable use of ICT

- Staff are expected to follow the ICT Acceptable Usage Policy and be fully aware of the E-Safety Policy. In particular they should not share personal contact details with a pupil or befriend pupils on Facebook or other social media.

2.4.9. Medicines

- Under no circumstances should teaching staff advise on the taking of medicines, or their increased/decreased use. This is fully documented in the Administration of Medicines Policy.

2.5. Role of Staff

2.5.1. Concerns about a child (including abuse by a pupil or group of pupils)

- Staff who notice injuries that appear to be non-accidental, a significant change in a pupil's behaviour, or who are told anything significant related to child protection by another pupil, must report their concerns immediately to the relevant **DSP** (**the relevant Headteacher**). A factual written record will be made and passed to the **DSL** (**the Director**).

- If a member of staff has concerns about any pupil which may indicate physical, emotional or sexual abuse or neglect, they must discuss them with the relevant Designated Senior Person.

- It is important to recognise that safeguarding and child protection can relate to abuse of one pupil by another. Where there is reasonable cause to suspect that a child is suffering, or likely to suffer significant harm (see 2.1), by one or more pupils, the member of staff must make a written record of their concern and ensure this is shared with the relevant **DSP** (**the relevant Headteacher**) immediately.

- In the case of abuse by a pupil, or group of pupils, the key indicators that may identify abuse (as opposed to bullying or adolescent misbehaviour, to be handled within the school's normal discipline framework) are:

    - the frequency, nature and severity of the incident(s);

    - whether or not the victim was coerced by physical force, fear, or by a pupil or group of pupils significantly older than them, or having power or authority over them;

    - whether or not the incident involved a potentially criminal act;

    - whether or not the same incident (or injury) would have been regarded as assault or otherwise actionable,) had it occurred to a member of staff or other adult.

- The relevant **DSP** (**the relevant Headteacher**) will liaise with the **DSL** (**The Director**) and local and specialist agencies as appropriate, and ensure that accurate records relating to child protection are kept secure. (See action of **DSP** below).

- If, at any point, there is a risk of immediate serious harm to a child a referral should be made to external agencies immediately. The Dubai Child Protection Centre Helpline is 800-988 (24 hour 7 days a week).

- If the child's situation does not appear to be improving the staff member with concerns should press for re-consideration. Concerns should always lead to help for the child at some point.

2.5.2. Procedure following a disclosure

If a child discloses that he or she has been abused in some way, the member of staff/volunteer should:

- Listen to what is being said without displaying shock or disbelief;

- Accept what is being said;

- Allow the child to talk freely;

- Reassure the child, but not make promises which it might not be possible to keep;

- Not promise confidentiality – it might be necessary to refer to the relevant **DSP** (**the relevant Headteacher**) or the **DSL** (**The Director**).

- Reassure that what has happened is not the child's fault;

- Reiterate the point that it was the right thing to tell;
- Only ask questions when necessary for the purpose of clarification;
- Not criticise the alleged perpetrator;
- Explain what has to be done next and who has to be told;
- Document the information on the school record of concern sheet where possible and pass this to the relevant **DSP** (**the relevant Headteacher**) without delay.

NB - school staff do not carry out investigations themselves, nor decide whether or not children have been abused.

See summary sheet for staff in Appendix 1: Guidance on how to respond to a child wanting to talk about abuse:

2.5.3. Written records

The member of staff to whom a disclosure has been made should:

- Make brief notes as soon as possible after the conversation, using the school record of concern sheet wherever possible (see Appendix 2 Child Protection Record of Concern).
- Record the date, time, place and any noticeable words or non-verbal behaviour used/demonstrated by the child.
- Draw a diagram to indicate the position of any injuries.
- Record statements and observations rather than personal interpretations or assumptions.

All records need to be given to the relevant **DSP** (**The relevant Headteacher**) promptly. No copies should be retained by the member of staff or volunteer. Any such records will then be passed on to the **DSL** (**The Director**), who will store them centrally.

2.5.4. Action by the Designated Senior Person (The relevant Headteacher)

The **DSP** will:

- Discuss the concern with the **DSL** (**The Director**) to decide if the risk requires an immediate referral.
- Meet with the child, following the guidance on questioning pupils.
- Seek a medical examination or treatment for the pupil with the School Doctor, if appropriate.
- Take steps to protect the informing pupil as appropriate. Ensure that the pupil is aware that confidentiality cannot be guaranteed but that the matter will be disclosed only to people who need to know, and the child will know who these people are. If the allegation involves abuse by other pupils, it is likely that the pupils against whom the allegation has been made will need to be told.

- Meet with any pupils against whom an allegation has been made and follow the interview protocols as outlined above to develop an understanding of what has happened and to provide information to support these pupils too, in terms of further actions and involvement of others.

- Ensure the parents of any of the pupils involved are aware of the allegation.

- Refer the matter to the relevant external agencies for all of the children involved, as appropriate.

- Ensure that a reference is made on the child's main school file using the relevant incident form (See Appendix 2 Child Protection Record of Concern); and that there is a record on the School Child Protection file.

3. ALLEGATIONS OF ABUSE AGAINST A MEMBER OF STAFF

3.1. Duties of The School as an employer

The School has a duty of care to their employees. They will provide effective support for any employee facing an allegation and a named contact if they are suspended.

An allegation of abuse may be made against a teacher or member of staff (including volunteers) if he/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 would pose a risk of harm by working regularly or closely with children.

The School will endeavour to ensure that any allegation of abuse made against a teacher or other member of staff or volunteer is dealt with very quickly, in a fair and consistent way that provides effective protection for the child whilst at the same time supporting the subject of the allegation.

3.2. Initial Considerations

- **The Director**, as **Designated Safeguarding Lead**, should be informed immediately.

- Staff following procedures for dealing with allegations must be aware that they need to be applied objectively and with common sense.

- In cases deemed borderline, informal discussions will be held with the **Board Member Responsible for Safeguarding** without naming the individual.

- Some cases may well either not meet the criteria set out above at all, or may do so without warranting consideration of a police investigation or enquiries by local authority children's services. In these cases the School's informal disciplinary procedures should be followed to resolve cases quickly and without delay.

- It may be the case that an allegation will be sufficiently serious as to require immediate intervention by external agencies. The **Board Member Responsible for Safeguarding** will then be informed so that, in conjunction with the Designated

Safeguarding Lead (the Director),they can consult external agencies, as appropriate.

3.3. Procedure following an allegation against a member of staff

3.3.1. Initial investigation

- The **DSL** (**The Director**) will discuss the allegation with the Board Member Responsible for Safeguarding immediately.

- The purpose of this initial discussion is for the **DSL** (**The Director**) to consider the nature, content and context of the allegation and agree a course of action. The **DSL** may need to provide or obtain additional information which may be relevant, such as previous history, whether the child or their family have made similar allegations and the individual's current contact with children.

- If the allegation is against The Director, the **Chair of the Board of Governors** (or designated nominee in his/her absence), would take on the Director's role in this procedure.

3.3.2. Further Investigation

- The initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern. In such a scenario, this decision and a justification for it should be recorded (by both the **Designated Safeguarding Lead** and the **Board Member Responsible for Safeguarding**, and agreement reached as to what information should be put in writing to the member of staff concerned (and by whom). The **Designated Safeguarding Lead** should then consider with the **Board Member Responsible for Safeguarding** what action should follow in respect of the member of staff and those who made the initial allegation.

- Where further investigation is deemed necessary, the Director should inform the member of staff about the allegation as soon as possible after consulting the **Board Member Responsible for Safeguarding**, providing as much information as permissible. If a strategy discussion is needed however, or external agencies need to be involved, this will not happen until those agencies have agreed what information can be disclosed to the person.

- In some cases, further enquiries will be needed to inform the decision about how to proceed. If so, the **Board Member Responsible for Safeguarding** will discuss with the **DSL** (**The Director**), how and by whom the investigation will be undertaken. In straightforward cases the investigation should normally be undertaken by a senior member of the school. However, the nature or complexity of the allegation may require an independent investigator.

3.3.3. Communications with parents

- Parents or carers of a child or children involved will be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or external agencies need to be involved, **the Director** will not do so until those agencies have agreed what information can be disclosed to the parents. They will also be kept informed about the progress of the case, and told the

outcome where there is not a criminal prosecution, including the outcome of any disciplinary process.

3.3.4. Suspension

- **The Director** will consider carefully whether the circumstances of a case warrant the member of staff being suspended from contact with children at the school until the allegation or concern is resolved. Suspension is not the default position – an individual will only be suspended if there is no reasonable alternative, such as moving to another area of the School or removing them from specific types of duties which have contact with children.

- Where it has been deemed appropriate to suspend the person, written confirmation will be sent within one working day, giving the reasons for the suspension. The person will be informed at that point who their named contact is within the School organisation and provided with their contact details.

- If the allegation is not demonstrably false or unfounded, and there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion will be convened in accordance with the procedures of local external agencies.

- If the allegation is about physical contact, the strategy discussion or initial evaluation with the police should take account of the fact that teachers and other school staff are entitled to use reasonable force to control or restrain pupils in certain circumstances, including dealing with disruptive behaviour.

- Where it becomes clear that an investigation by the police or other external agencies is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the **Board Member Responsible for Safeguarding** will discuss the next steps with the **Designated Safeguarding Lead** (**The Director**). The **Chair of the Board of Governors** will be kept informed. In these circumstances the options depend on the nature and circumstances of the allegation and the evidence and information available, and could range from taking no further action to summary dismissal and a decision not to use the person's services in future.

3.3.5. Timescales

- The School recognises that it is in everyone's interest to resolve cases as quickly as possible, consistent with a fair and thorough investigation. All allegations will be investigated as a priority so as to avoid any delay. The time taken to investigate and resolve individual cases will depend on a variety of factors including the nature, seriousness and complexity of the allegation, but it is expected that the case should be resolved in one to three months. In truly exceptional cases this may take up to twelve months.

- For those cases where it is clear immediately that the allegation is unfounded or malicious then it is expected that they should be resolved within one week.

- Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the School as the employer to deal with, although if there are concerns about child protection, the **DSL** (**The Director**) should discuss action with the **Board Member Responsible for Safeguarding**

- In such cases, if the nature of the allegation does not require formal disciplinary action, the Director will initiate appropriate action within 3 working days.
- If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

3.3.6. Supporting Staff

- The School will act to manage and minimise the stress inherent in the allegations and disciplinary process.
- The member of staff will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the local authority social care services or the police.
- The member of staff will be advised to contact their trade union representative, if they have one, and/or a colleague for support. He/she will also be given access to a senior member of staff as a named contact to provide information regarding the progress of the case and any current work related issues.
- Social contact with colleagues and friends will not be prevented unless there is an indication that that such contact is likely to be prejudicial to the gathering and presentation of evidence.

3.3.7. Confidentiality

- When an allegation is made the School will make every effort to maintain confidentiality and guard against unwanted publicity while investigations are carried out (in accordance with the School's Data Protection Policy).
- The School will take advice from external agencies to agree the following:
  - Who needs to know and, importantly, exactly what information can be shared;
  - How to manage speculation, leaks and gossip;
  - What if any information can be reasonably given to the wider community to reduce speculation; and
  - How to manage press interest if and when it should arise.

3.3.8. Resignations, Dismissal, Ceasing to provide services, 'Settlement Agreements' and References

- If a member of staff tenders his/her resignation, or ceases to provide their services, this will not prevent an allegation being followed up in accordance with these procedures.
- Ceasing to use a person's services includes: dismissal; non-renewal of a fixed term contract; not continuing with the employment of a probationer, no longer engaging/refusing to engage a supply teacher provided by an employment agency; terminating the placement of a student teacher or other trainee; no longer using staff employed by contractors; no longer using volunteers; resignation, and

voluntary withdrawal from supply teaching, contract working, a course of initial training, or volunteering.

- Every effort will be made to reach a conclusion in all cases where allegations relating to the safety or welfare of children are concerned.

- Wherever possible the member of staff will be given the opportunity to answer and make representations with regard to the allegation. However, the investigative processes outlined above will continue in cases where this does not happen for whatever reason.

- A 'compromise agreement', by which a person agrees to resign if the School agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, generally should not be used in these cases. No such agreement will prevent a thorough police investigation or override the statutory duty to make a referral to the Disclosure and Barring Service (DBS), where appropriate.

- Cases in which an allegation was proven to be unsubstantiated, unfounded or malicious will not be included in employer references. A history of repeated concerns or allegations which have all been found to be unsubstantiated, malicious etc. will also not be included in any reference.

3.3.9. Record keeping

- Details of allegations that are found to have been malicious will be removed from personnel records. However, for all other allegations, a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, will be kept on a member of staff's confidential personnel file, and a copy provided to the person concerned.

- The purpose of this record is to enable accurate information to be given in response to any future request for a reference, where appropriate. (It could provide clarification in cases where future DBS Disclosures reveal information from the police about an allegation that did not result in a criminal conviction and it could help to prevent unnecessary re-investigation if an allegation re-surfaces after a period of time.)

- The record will be retained on the School Child Protection file for a period of 10 years from the date of leaving the employment of The School. This follows published guidance from the Information Commissioner in its Employment Practices Code.

3.3.10. Action on conclusion of a case

- When any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after person has been charged. In these circumstances the **Board Member Responsible for Safeguarding** will discuss with **the Director** and **Chair of the Board of Governors** whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or the local authority social care services can inform that decision. The options will depend on the circumstances of the case and the consideration will need to take account of the result of the police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

- If the allegation is substantiated and the person is dismissed or the School ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, the **Board Member Responsible for Safeguarding** in conjunction with **the Director** should make a referral to the KHDA for consideration of inclusion on the barred lists is required.

- In the case of employees from the UK,

    - there is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct (including inappropriate sexual conduct) that harmed (or is likely to harm) a child or if a person otherwise poses a risk of harm to a child. In such circumstances, the duty to refer an individual to the DBS arises where an employer has removed the individual from relevant work with children or the person has chosen to cease relevant work in circumstances where they would have been removed had they not done so.

    - The School will also make a referral to the National College for Teaching and Leadership (NCTL) where a teacher has been dismissed (or would have been dismissed had they not resigned) for reasons of unacceptable professional conduct, conduct that may bring the profession into disrepute or a conviction, at any time, for a relevant offence. Referrals will be made as soon as possible after the resignation or removal of the member of staff involved and within one month of ceasing to use the person's services.

- In the case of employees from other countries, the School will inform their relevant safeguarding authorities and teaching professional bodies on the basis of the paragraphs above.

- In cases where it is decided on the conclusion of the case that a person who has been suspended can return to work, the School will consider how best to facilitate this, bearing in mind that most people will benefit from some help and support to return to work after a very stressful experience.

- Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The School will also consider how the person's contact with the child or children who made the allegation can best be managed if they are still a pupil at the School.

3.3.11. Action in respect of unfounded or malicious allegations

- If an allegation is determined to be unfounded or malicious, In the event that an allegation is shown to have been deliberately invented or malicious, **the Director** will consider whether any disciplinary action is appropriate against the pupil who made it.

3.3.12. Learning lessons

- At the conclusion of a case in which an allegation is substantiated the **DSL** (**the Director),** the relevant **DSP** (**the relevant Headteacher**) and the Board Member Responsible for Safeguarding will review the circumstances of the case to determine whether there are any improvements to be made to the school's procedures or practice to help prevent similar events in the future. This will include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified.

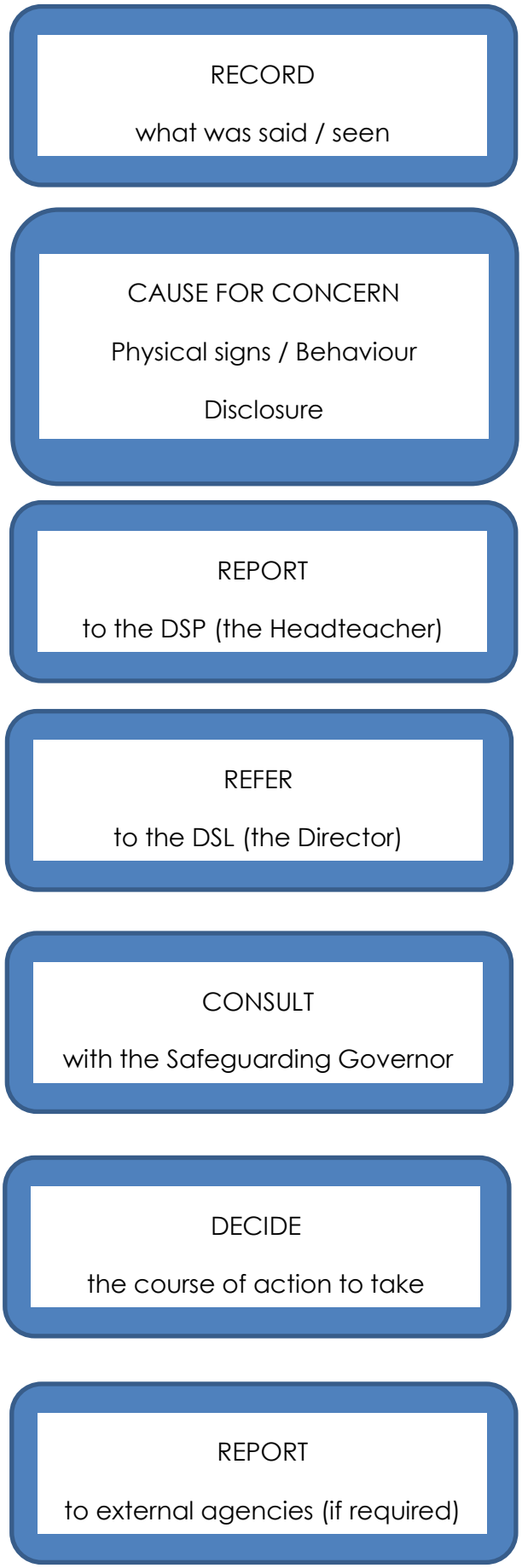
Appendix 1: Guidance on how to respond to a child wanting to talk about abuse:

GENERAL POINTS	DON'T SAY
• Show acceptance of what the child says (however unlikely the story may sound).	• Why didn't you tell anyone before?
• Keep calm.	• I can't believe it!
• Look at the child directly.	• Are you sure this is true?
• Be honest.	• Why? How? When? Who? Where?
• Tell the child you will need to let someone else know – **don't promise confidentiality.** • A useful distinction to make when explaining this to pupils is between **privacy** and **confidentiality:** you cannot promise to keep a conversation private but confidentiality means only informing the people who need to know in order to help the pupil.	• Never make false promises.
• Even when a child has broken a rule, they are not to blame for the abuse.	• Never make statements such as 'I am shocked, don't tell anyone else.
• Be aware that the child may have been threatened or bribed not to tell.	
• Never push for information. If the child decides not to tell you after all, then accept that and let them know that you are always ready to listen. • Never ask leading questions and try to record what the child says verbatim	

Helpful things you may say or show	Concluding
• I understand what you are saying.	• Again reassure the child that they were right to tell you and show acceptance.
• Thank you for telling me.	• Let the child know what you are going to do next and that you will let them know what happens.
• It's not your fault.	• Contact the appropriate senior member of staff or agency.
• I will help you.	• Consider your own feelings and seek pastoral support if needed.

Appendix 2 Child Protection Record of Concern

JUMEIRAH ENGLISH SPEAKING SCHOOL	
CHILD PROTECTION RECORD OF CONCERN	
Child's name:	
Year Group: ……..	Form: …….……
Date and time of concern:	
Your account of the concern: (What was said, observed, reported and by whom?)	
Additional Information: (Your opinion, context of concern/disclosure)	
Your response: (What did you do/say following the concern?)	
Your name:	
Your signature:	
Your role in School:	
Date and time of this recording:	

Meeting with Parents (if applicable	
Date	Those Present
Record of Meeting	
Action and response of **DSP**/DSL: (To be completed by **DSP**/DSL) Name:……Date……..	

Appendix 3: Flow Chart on How to deal with concerns.