

Responding to Allegations Against Staff Policy



Coordinator:	Amy Ramsey
Last reviewed:	August 2023
Date for next review:	August 2024

Rationale

As an international school, Eerde faces some significant risks when keeping children safe. We know from research (Sullivan and Beech, 2008) that Sexual Abuse Offenders will seek to implement themselves into a school environment to gain access to children. This might be as a member of staff, a parent volunteer or as a coach or non-Eerde employed person who has access to the school. In order to mitigate these risks it is important to have a policy in place that sets out our procedure in preventing and managing allegations against adults in our community.

This policy sets out school procedures to take before, when and after an allegation arises. It also specifies at which point we should contact outside agencies and external experts for both further action and legal advice.

It is important to note that because every allegation against an adult is unique, this protocol is meant as a general guide for those responding to allegations, and it is entirely reasonable and appropriate that in some cases the schools response may slightly differ to this guidance. At all times the safety and welfare of the child remains paramount.

It applies regardless of whether the alleged abuse took place in the school. Allegations against a teacher who is no longer teaching and historical allegations of abuse will be referred to the police and Onderwijs inspectie/ Vertrouwens Inspecteur.

We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.



Definitions

For the purpose of clarity the following definitions apply to this policy;

Adults (In our School Community)

When we discuss allegations against adults in this policy we are referring to any adult that works with or has access to children whilst on school campus. It also refers to adults who have responsibility for our students on School Trips. It does not refer to parents at home or adults outside the Eerde community.

Allegation

When we discuss allegations in this policy we are referring to any disclosure made or information shared that indicates harm has been caused to a child. This is neither assumed to be true or false but is simply taken on merit as a cause for concern and so must be acted upon no matter the nature or character of the alleged perpetrator or victim.

Alleged Perpetrator

When we discuss the alleged perpetrator we are referring to the adult whom the allegation has been made against. This does not assume they are guilty or innocent of the accusation.

Personal Relationship

When we refer to a personal relationship we mean one where someone is related to, or socialises with another person or their family outside the school environment.

School Leadership

When we use the term *School Leadership* we mean the highest level of Leadership at Eerde that would make a decision about an allegation. This would normally be the Director, however if the allegation was made against the Director it would be the Designated Board Member in Partnership with the Academic Director.

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 (this does not imply guilt or innocence)



Unfounded

To reflect cases where there is no evidence or proper basis which supports the allegation being made.

Prevention

The most effective way of managing allegations against adults in our school community is to prevent them happening in the first place. Eerde has a firm commitment to safeguarding children and the following procedures help to prevent allegations against adults at Eerde IBS;

- the management, governance, and leadership of child protection with a Designated Safeguarding Lead and a Committee for Support and Safeguarding (CSS);
- A thorough Safeguarding and Child Protection Policy with a Code of Conduct that applies to all adults in unsupervised contact with children at Eerde IBS;
- Safer Recruitment practices and vetting of all school staff and volunteers. This includes safeguarding interview questions, a thorough background check of all adults in unsupervised contact with children at Eerde and 2 verbal and written references for all adults in unsupervised contact with children;
- a scheduled programme of regular, professional child protection training for all staff and adults in unsupervised contact with children in both English and Dutch;
- a higher level of training for the CSS and Management team who may lead internal investigations into any allegation against an adult;
- a safeguarding learning framework and curriculum, including healthy relationship education for all students throughout their school experience;
- Acceptable Use Policies for both staff and students in regards to online behaviour and use of technology and social media.

Disclosure

When a child makes a disclosure to a member of staff at Eerde, or we have reason to believe they are at risk of harm from an adult in our community, questioning should be limited to critical information in order to:

- understand the basic facts (Where and when did the incident take place? Which adult was involved?);
- determine the immediate safety of the child (Will the child encounter the alleged perpetrator within the next hour?);
- determine if the child needs immediate psychological or physical medical attention.

In the case of a written disclosure of non-recent abuse, the response should be prompt and personal, avoiding a legal tone. Where a child discloses that they or



another child is being or has been abused or harmed, staff should adopt a trauma-informed approach by being mindful of the following;

- realising needs of individuals living with complex trauma,
- understanding the potential paths for recovery and building capacity for resilience,
- recognising the signs and symptoms of trauma,
- actively works to prevent re-traumatisation through practices that are protective of the overall well-being of students in the school community.

If the child is not forthcoming, ask if they would like to speak to another adult with whom they may feel more comfortable, such as a member of the CSS. Ask open-ended, non-leading questions to facilitate disclosure, determine the well-being of the individual and provide support.

Reporting

All disclosures or concerns about significant risk to a child, child endangerment or abuse should be reported using the school's 'Child Protection Report Form.' Notes of meeting, quoting verbatim if possible, should be recorded in this form.

- Any report about another member of staff should be made in person to the Director or Academic Director (as Designated Safeguarding Lead) on the same working day of the disclosure or concern being raised.
- If there is an immediate risk to the child then a report should be made without any delay.
- If the allegation involves the Director then it should be reported to both the Academic Director (as Designated Safeguarding Lead) and HR Manager who will contact the Designated Board Member.
- If staff are unsure about reporting to these people they should report directly to the Designated Safeguarding Board Member.
- If staff are unsure about reporting to a member of staff internally or to the Board, then they can contact the Vertrouwens Inspecteur, the Dutch inspectorate for schools.



Position	Name	Contact Details
Designated Safeguarding Governor	Wim Boomkamp	jwboomkamp@gmail.com
Director	Niki Holterman	nholterman@eerdeibs.nl
Academic Director & DSL	Amy Ramsey	aramsey@eerdeibs.nl +31(0)683254275
HR Manager	Pamela Glancy	pglancy@eerdeibs.nl
Vertrouwens Inspecteur - for concerns about abuse in schools	Vertrouwens Inspecteur	0900 111 3 111 https://www.onderwijsinspectie.nl/onderwerpen/vertrouwensinspecteurs

Engagement with the Alleged Perpetrator

In all circumstances we follow Dutch law in regards to the protection of the data and confidentiality of the staff at Eerde as an Alleged Perpetrator. Due to privacy and ongoing protection of the child, the identity of those making the allegation, or those who are the victims of the allegation, will not be shared without their prior consent. This is done to ensure the continued safety of the child and the integrity of our reporting process.

Staff will always have the opportunity for the following;

- To hear and respond to the allegation, in a way that does not reveal the child's identity (where this is possible).
- To access independent advice on this matter.
- To be encouraged to access their own independent support structures.

During a related leave of absence the school may offer the member of staff the opportunity to work through a process which will give them the opportunity to have an independent person hear them and assess their suitability to work with our students. This process is called a Statement of Validation Process. The objective of statement validation is to give someone who has had child protection concerns raised against them the opportunity to robustly respond to each of the issues highlighted and provide an account which has been independently evaluated and validated. This process gives their statement the strongest possible credibility before the school makes decisions about their future employment at the school.



Additional considerations for supply staff

If there are concerns or an allegation is made against someone not directly employed by the school, such as supply staff provided by an agency, we will take the actions below in addition to our standard procedures.

- We will not decide to stop using a supply teacher due to safeguarding concerns without finding out the facts and liaising with the Vertrouwens Inspecteur to determine a suitable outcome
- The School Director and/or HR Manager will discuss with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the school, while the school carries out the investigation
- We will involve the agency fully, but the school will take the lead in collecting the necessary information and providing it to the Vertrouwens Inspecteur/ police as required
- We will address issues such as information sharing, to ensure any previous concerns or allegations known to the agency are taken into account (we will do this, for example, as part of the allegations management meeting or by liaising directly with the agency where necessary)

When using an agency, we will inform them of our process for managing allegations, and keep them updated about our policies as necessary, and will invite the agency's HR manager or equivalent to meetings as appropriate.

Response

School receives allegation

When an allegation is reported the Director or Designated Board Member should designate a 'Response Team Leader.' This may be themselves or any other member of the CSS. This will differ on case to case basis but should seek to be someone with no personal relationship with the alleged perpetrator. This may not be possible but should be part of the thought process to avoid bias. At this point the following actions need to be taken;

- Take any urgent actions needed to protect the child from imminent risk of harm. This may include emergency services to undertake a medical examination.
- If it is clear a law has been broken, immediately report to the police, Vertrouwensinspecteur and Onderwijs Inspectie.
- If it is possible a law has been broken but more guidance is needed, consult a legal representation and/or the Vertrouwensinspecteur.
- Take steps to ensure the preservation of all evidence.
- Keep the parents or carers of the student/students involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)



Initial Assessment and response

The response team leader should form a small response team made up of the HR Manager, members of the CSS and other key individuals who are needed to help to coordinate the school's response. The nature and size of the response team will depend on a number of factors including the nature of the allegation.

In forming this team, the response team leader should;

- draw on the expertise that exists within the allegations management team, ensuring where possible that the response team includes individuals with expertise in safeguarding, communications and human resources;
- Ensure no one on the allegations management team has a personal relationship with the alleged perpetrator or child making the allegation.
- not make the response team any bigger than necessary, so that information about the allegation is not shared too widely.

The role of the response team is to;

- Conduct a dynamic risk assessment of the situation and create an action plan to avoid further risk.
- Not to investigate the allegation beyond giving all parties a chance to respond to allegations or information. It is important to note that if informing the alleged perpetrator places the child at significant further risk of harm the response team will not do so.
- To coordinate the school's response to the allegation, including a media response if necessary.
- Decide on whether action outside the school is needed.
- To ensure all information is only shared on a 'need to know' basis and that no allegation becomes public knowledge where this is avoidable.
- To ensure that the identity of the child and any person related to making an allegation is not disclosed to the alleged perpetrator to further safeguard them from potential harm and maintain a community culture of 'speak up - speak out.'
- To ensure records are kept of all decisions made and actions taken.

School Inquiry

After the response team has conducted the initial assessment and response the next step is to meet and conduct a school inquiry. The purpose of this meeting to ensure the following occurs;

- It forms a collection point for information about External Agency investigations into the allegation.



- A recommendation is made to the School Leadership on necessary actions needed to further safeguard the child.
- A recommendation is made to the School Leadership on whether the allegation requires disciplinary action.

Decision to be made by school/ No Disciplinary Process

School Leadership will then make a decision that there was either no disciplinary case to be made against the adult or action needed to be taken to address the allegation. They would then decide on what action would be taken.

Managed reintegration/ Permanent removal from School community

If the decision was to temporarily (pending further investigation) or permanently remove the adult from the school community this would be in compliance with both the school's ethical and legal obligations and would be a decision taken by the Director after taking the advice of the DSL, HR Manager and CSS.

If there was no disciplinary action or the action required was less than the immediate, permanent removal from the School community, then a process of reintegration would begin. This would include but not be limited to the following;

- A voluntary restorative justice meeting between the alleged perpetrator and the child (only at the child's request).
- Assurances to the alleged perpetrator that all information about the allegation was confidential.
- Information provided to the alleged perpetrator on how the documents about the allegation would be stored and where they would be stored.
- The providing of letters of warning to the alleged perpetrator if required.
- A Staff Concern Audit and Assessment to be completed by the Director and DSL and it's actions implemented. (Appendix 2)

Debriefing and Safeguarding Review

The DSL would meet with the CSS, debrief them on the outcomes of the case and conduct a review of how we handled the case, what lessons were learnt and what future actions were needed to prevent this from happening again.

A flowchart of a response to allegation can be found in Appendix 1.

Documentation

All allegations will be documented using the Child Protection Form and stored in the Child's file in our Child Protection Filing Cabinet which is fireproof and locked key held by the DSL.

When recording the allegation the following information should be documented as soon as possible;



- time, day of the week, date, and location of the disclosure/discovery;
- identity of child and alleged perpetrator;
- details of the demeanour and behaviour;
- who it was reported to;
- the name of the person making the report.

When documenting a child's disclosure, record the statement using the child's own words as soon as possible following the disclosure. Sign and date the Child Protection Form on physical handover to the Director (or whoever receives the report). Any additions or changes should be added to the initial record without altering the original.

Any 'soft' or computerised copies of the allegation should be saved on the Encrypted Cloud Storage that is used for Child Protection documents. This can only be accessed by the CSS. No documentation should be emailed or saved on personal or school computer hard drives.

If the alleged perpetrator is a member of staff, any evidence of further school action that is suitable to do so, will be included in their Human Resources file. This would be done only at the direction of the Director.

Where records contain information about allegations of sexual abuse, we will preserve these for the Vertrouwens Inspecteur, for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

Further Action and Referral to External Agencies

In some situations further action is needed in response to an allegation against an adult in our community. The criteria and process for informing external agencies will largely depend on the specific circumstances, but the following guidelines are recommend to help inform this decision;

- If the allegation presents a breach of law this should be immediately referred to the police.
- Consider, on receipt of an allegation, and in consultation with legal advisers where necessary, whether any external agencies need to be informed.
- External Agencies include the Police, Vertrouwensinspecteur, Onderwijs Inspectie, Velig Thuis, other Schools, Embassies, or any private or state agency that may need to be informed of the allegation.



- It is not the school's responsibility to investigate or discipline anyone not employed directly by the school. This should be referred to the appropriate External Agency.

When an External Agency has become aware of an allegation, be through our actions or others, and they are either not able or unwilling to intervene, one of the following thresholds must be met for the school to take further action;

1. The child is still at significant risk of harm.
2. Inaction would place the child at risk of further harm.
3. The School's reputation is at risk to such an extent that it would impact our ability to keep children safe.
4. The allegation has become public knowledge, placing either the child or the alleged perpetrator at further risk.

In these cases the school will act as far as is necessary in order to remove the presented risk.

Low Level Concerns

On some occasions staff behaviour does not meet the threshold of causing significant harm but does still constitute a low-level concern. This is any concern that an adult has acted in a way that;

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work,
- doesn't meet the threshold of significant harm or is not considered serious enough for Eerde IBS to refer to the Vertrouwensinspecteur and Onderwijs Inspectie,

Low-level concerns are part of a spectrum of behaviour that includes inadvertent or thoughtless behaviour, behaviour that might be considered inappropriate depending on the circumstances and behaviour which is intended to enable abuse. As such it is important that these low level concerns are stored appropriately should they lead to persistent breaches of the Code of Conduct or be part of a pattern of grooming behaviour. All concerns will be logged and stored separately by the HR manager and monitored in partnership with the DSL.

Examples of such low level concerns could include;

- being over friendly with children,
- having favourites,
- adults taking photographs of children on their mobile phone,
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door,
- using inappropriate sexualised, intimidating or offensive language.



Confidentiality

The school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The Response Team Leader will take advice from the police and Vertrouwens Inspecteur, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a student/students involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

References

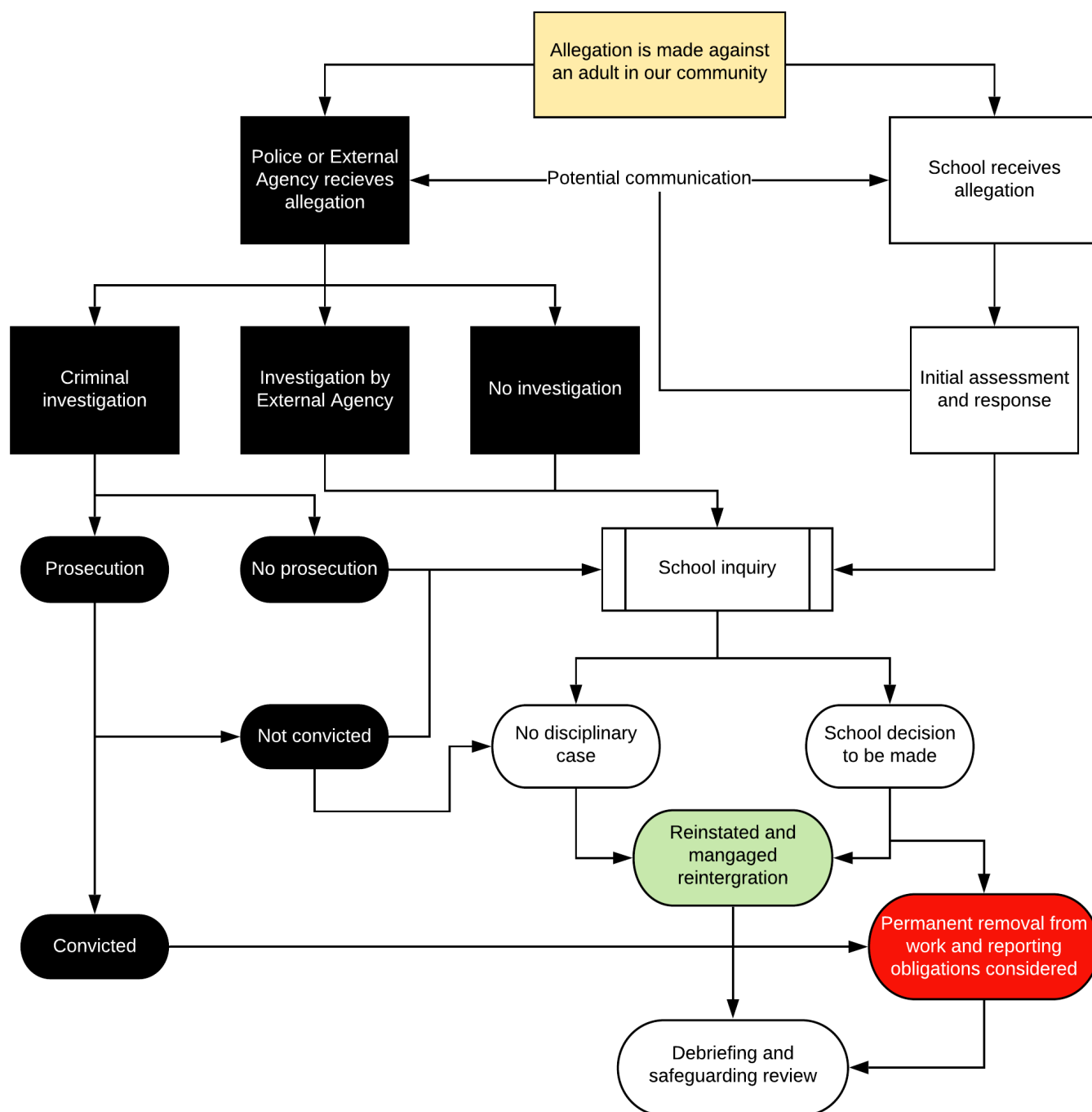
When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated or malicious, or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

Details of substantiated allegations must be reported on references - giving only factual information of the type of allegation and outcome - i.e. dismissed and reported to authorities. The names of other persons/students involved in the allegation must not be shared and details of the allegation need not be communicated.



Appendices

Appendix 1 - Responding to Allegations FlowChart



Appendix 2 - Staff Concern Risk Audit and Assessment

STAFF CONCERN RISK AUDIT

Staff Member Name: CONCERN	When?		Date:		Review Date:		Assessor's Name:		
	WHEN?	WHO IS AT RISK?	LIKELIHOOD	X	REGULARITY	X	POTENTIAL HARM	RISK FACTOR	ACTION
Describe Risk Concern Type,* Health condition**, grooming behaviour***, abuse, Verbal Threats/Aggression, Violence, Bullying, Fighting, Racial Harassment, Sexual Harassment, False Accusations, Other - please specify)	Potential Time of Day (Before school, Break time, Lunch time, After school, Morning lessons, Afternoon lessons, Between lessons, Detentions, Other, e.g. outside school hours - please specify)	Who is likely to be harmed and how? (Pupils, Staff, Visitors, Parents)	5=Certain 4=Probable 3=Possible 2=Unlikely 1=Rare		5=Daily 4=Weekly 3=Monthly 2=Rarely 1=Never		(Include an assessment of the likely physical and psychological harm) 4=Critical/Major 3=Moderate 2=Minor 1=Insignificant	Approximate percentage chance of harm occurring: 100%=certain >50%=probable >9%=possible >1%=unlikely 1%=rare/never	Is a formal risk assessment required? Are existing measures sufficient, or can the risk be lowered further? If applicable, list any initial suggestions for achieving such aims in the space below.
1)				X		X		= _____%	
2)				X		X		= _____%	
3)				X		X		= _____%	

*This is not an exhaustive list and could be widened to include any risk.

** Please complete the Medical Condition Checklist, and attach this to the Risk Audit.

*** Please complete the Grooming Behaviour Checklist, and attach this to the Risk Audit.



Staff Concern Risk Assessment

Staff Name:	Date:	Review Date:	Assessor Name:
A) What are the Risk Concerns regarding the staff member, and what health and safety hazards arise or could arise from these?			
1.			
2.			
3.			
B) What risks do they pose and to whom?		Residual Risk Rating (without any actions from staff in place): <i>Extreme/High/Medium/Low</i>	
1.			
2.			
3.			
C) What actions have been taken to remove or reduce the risks?		Residual Risk Rating (with current actions in place): <i>Extreme/High/Medium/Low</i>	
1.			
2.			
3.			
D) What further action is required to reduce the risk further?		Residual Risk Rating (once further actions are applied): <i>Extreme/High/Medium/Low</i>	
1.			
2.			
3.			
E) List any activities or circumstances which <u>cannot</u> be safely managed, as far as it is possible to foresee.			
Any further comments:			



Appendix 3 - Grooming Behaviour Checklist

Student / Staff / Parent (delete as appropriate)

Name:

Date:

Please indicate the grooming behaviour the subject is displaying. Check an X next to each behaviour.

Stage*	Grooming behaviour	Check
Targeting the Victim	Observing students that are vulnerable	
	Testing the student with secrets and reliability	
	Checking with others about the student's vulnerability	
	Initiating a friendly relationship	
	Treating the student favourably to others	
	Knowing their likes and dislikes (sports/music etc.)	
	Watching or playing children's games with the student	
	Inserting themselves into the support network of a vulnerable child	
	Initiating or joining the supervising of at risk groups (eg, LGBT, Refugees)	
Gaining Trust	Setting down basic conditions for the meetings	
	Beginning to bargain ('You need to do this because I have done it')	
	Holding the student's secrets/concerns (not sharing with Colleagues)	
	Not reporting rule-breaking behaviour of the student 'It'll be our secret.'	
	Spending time outside of work with the family	
	Befriending the parents	
	Pretending to be someone younger (online)	
	Helping them with a problem no one else can solve.	
	Doing things with the student that friends would normally do (not adults)	
Filling a Need	Requesting photos of the student and complementing them on these.	
	Making a student feel special	
	Giving the student gifts or rewards	
	Listening to the student's problems (instead of referring to counsellors)	
	Spending time alone together	



	Being consistently present and support to the student	
	Offering the student alcohol or drugs	
	Taking the student on trips	
	Providing one to one tutoring at the adult's or student's home	
Isolating the Child	Refusing the student access to other adults or friends	
	Breaking rules in front of the student and involving them in this (we must not tell others we broke the rules)	
	Demeaning or undermining previous or current relationships with others.	
	Overly punitive behaviour towards other students who they see as 'rivals' or form part of the victim's support network.	
	Being inconsistent with attention. Building up hopes and positive attention and then punishing the child to increase their need/desperation for the attention.	
	Checking the student's commitment to the relationship through questioning and small tests of loyalty.	
	Leveraging disagreements between the school, friends and family to isolate the student.	
	Undermining the rules in school that prevent grooming	
	Undermining the school ethos on child protection	
Sexualising the Relationship	Undermining of sexual boundaries	
	Unnecessary touch	
	Breaking of School Code of Conduct around Safe Touch	
	Asking if the student consents to touch, "You said it was ok before."	
	Invoking cooperation "It's the least you can do/You owe me."	
	Exposure to pornography	
	Requesting sexually explicit photos.	
	Use of sexualised language	
	Sexual behaviour towards the student (non-invasive)	
	Sexual behaviour towards the student (invasive)	
	Trading sexual acts for gifts or money	
Maintaining Control	Threatening the life of the student or their loved ones.	

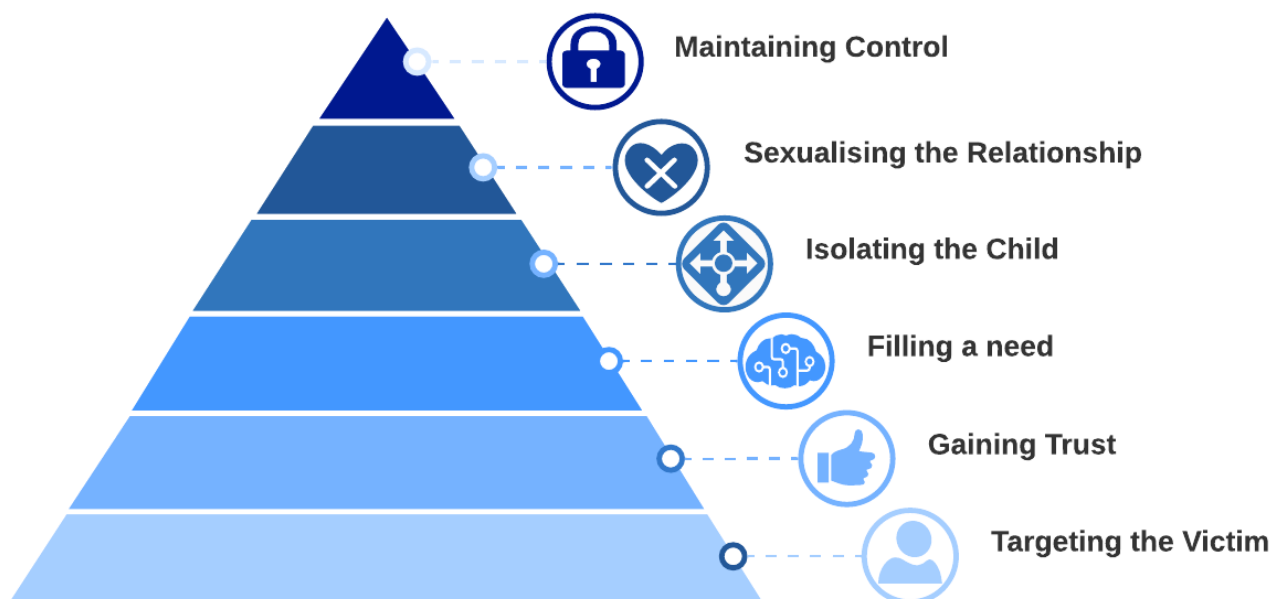


	Threatening to tell adults that the child has broken rules (particularly around alcohol and drug use)	
	Threatening to share explicit images of the student with others.	
	Physical abuse	
	Sexual abuse	
	Emotional abuse	

*Stage according to the Hierarchy of Grooming below;

Hierarchy of Grooming

Dan Furness | November 16, 2020



References

This policy has been based on the guidance from Farrers & Co entitled Managing Allegations of Child Abuse by Educators and other Adults: Protocol for international schools.

Smellie, D., Coles, S., Eastman, A. and Foster, J., 2018. *Managing Allegations of Child Abuse by Educators and other Adults: Protocol for international schools.*

NSPCC, (2021), *Responding to low-level concerns about adults working in education.* Available at;
<https://learning.nspcc.org.uk/news/2021/october/responding-low-level-concerns-in-education#:~:text=A%20low%2Dlevel%20concern%20is,refer%20to%20the%20local%20authority.>

