



**Churchfields**  
The Village School

Atworth ∞ Monkton Farleigh

# Managing Allegations Against Pupils Procedure

Updated	September 2021
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At Churchfields, we believe that all children have a right to attend school and learn in a safe environment. Children should be free from harm by adults in the school and other pupils.

We recognise that some pupils will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the school's behaviour policy.

### Introduction

DfE guidance Keeping Children Safe in Education (2021) says that "governing bodies should ensure that there are procedures in place to handle allegations against other children". The guidance also states the importance of minimising the risks of peer-on- peer abuse.

In most instances, the conduct of pupils towards each other will be covered by the school's behaviour policy. However some allegations might be of such a serious nature that they become safeguarding concerns. These allegations are most likely to include physical abuse, emotional abuse, sexual abuse and sexual exploitation; however we are aware that the abuse may take any form.

### The safeguarding implications of sexual activity between young people

The intervention of child protection agencies in situations involving sexual activity between children can require professional judgments. Some situations are statutorily clear – for example, a child under the age of 13 cannot consent to sexual activity.

### Prevention

At our school we will minimise the risk of allegations against other pupils by:

- ❖ Providing PHSEE/RHSE as part of the curriculum, which will help pupils develop their understanding of acceptable behaviours, healthy relationships and keeping themselves safe.
- ❖ Having effective systems within our school for pupils to be able to raise concerns with staff, knowing they will be listened to, supported and valued, and that the issues they raise will be looked into and addressed
- ❖ Liaising and working with other professionals to develop robust risk assessments for pupils that are identified as posing a potential risk to other pupils
- ❖ Liaising with specialists to deliver appropriate targeted work to pupils identified as being at potential risk e.g. protective behaviours work.

### Allegations against other pupils (safeguarding issues)

Allegations of abuse or that are a safeguarding concern maybe made against other pupils within our setting. These may include allegations of physical abuse, emotional abuse, sexual abuse and sexual exploitation.

Safeguarding concerns or reports of abuse in any form may be made against pupils in our setting

It may also be considered a safeguarding issue if the allegation:

- ❖ Is being made against an older pupil and refers to their behaviour towards a younger or more vulnerable pupil
- ❖ Is of a possible criminal nature

- ❖ Puts other pupils in the school at risk, or raises the risk factor for others
- ❖ Indicates that other pupils may have been harmed or be at risk or harm
- ❖ Includes bullying (under the definition of emotional abuse) or intimidation

Specific safeguarding issues against another student may include:

- ❖ Physical abuse:
  - Pre-planned violence
  - Physical altercations
  - Forcing other to carry out violence
  - Forcing others to use drugs, alcohol or other substances
- ❖ Emotional abuse:
  - Bullying
  - Threats and Intimidation
  - Blackmail/extortion
- ❖ Sexual abuse:
  - Sexual assault
  - Indecent exposure
  - Indecent touching
  - Showing pornography to others
  - Forcing others to create/share/download indecent images
  - Sexting (see full guidance)
- ❖ Sexual exploitation
  - Encouraging/enticing other pupils to engage in inappropriate sexual behaviour
  - Photographing or videoing other children performing indecent acts
  - Sharing images through social media

### Procedure

- ❖ When an allegation is made by a pupil against another student, which is of a safeguarding nature it should be reported to the designated safeguarding lead (DSL) as soon as possible.
- ❖ A factual record must be kept (as normal safeguarding child protection procedures) and updated with all actions and outcomes
- ❖ The incident should not be investigated at this time
- ❖ The DSL will contact the MASH to discuss the case, and make a formal referral where appropriate
- ❖ If the allegation indicates that a potential crime has taken place a referral must be made to the Police
- ❖ Parents of both the alleged victim and the student being complained about should be informed, this should be discussed during the consultation with the MASH.
- ❖ A risk assessment will be considered at this time to protect all parties involved.
- ❖ It may be appropriate to exclude the alleged culprit against whom the report has been made for a fixed time in line with our schools behaviour policy and procedures.
- ❖ Police and social care will lead any investigation, however where neither police nor social care thresholds are met, our school will then undertake a thorough investigation following our schools policies and procedures.
- ❖ A risk assessment should be considered along with an appropriate supervision plan
- ❖ Support should be given to all pupils involved. Individualised plan to be considered

supporting needs of all pupils and they should be involved in the relevant meetings and sign and agree to the plans that are set

- ❖ The plan should be monitored and review dates set

### Allegations made directly to other agencies

In some circumstances, parents of the alleged victims will report directly to other agencies. In these cases (if not police or social care), these agencies should make referrals to the MASH or the police.

MASH or police should liaise directly with the DSL for the school to inform them of the situation, or liaise with a member of the school's safeguarding team who will contact the DSL with the information.

All professional involved can support with the risk assessment and management of such allegations.

### Police action and responsibility

The police will make an assessment on a case by case basis as to the legality, proportionality and necessity to share information with partner agencies, including schools.

Where a report is made concerning a school-age child, and the school is already involved, the police should keep the DSL for that setting updated with developments in the case and police officer / staff dealing with the matter.

Where a report is made concerning a school-age child and the school is not already involved, the police must always give active consideration to sharing relevant information with the setting. This will ensure that the setting can take necessary measures to ensure the safety of the children involved and others they may come into contact with. The decision on appropriate measures to take should be made by the setting with support from the police as necessary.

In the case of police or court bail conditions for safeguarding cases, the police will notify the setting of the conditions which are relevant to keep the child and others safe in the setting.

If a report indicates a safeguarding concern regarding a child or a risk they may pose to others, the presumption is the report will be shared with those who need to know to help keep children safe. A review strategy meeting may be the most appropriate way of communicating and agreeing a suitable course of action.