

# Procedure for dealing with allegations or concerns about a staff member or volunteer working with a child

## Introduction

This procedure provides direction and detail for the appropriate way to deal with allegations about a staff member or volunteer working with Tutor The Nation. Allegations that involve a pupil registered with Tutor The Nation may require additional reference to the Procedure for dealing with concerns about a child.

## Procedure

### Classifying a concern

Upon being made aware of an allegation against a staff member or volunteer, the Designated Safeguarding Lead will classify the allegation based on all available information.

If the concern raised is about the Designated Safeguarding Lead, the steps outlined in the rest of this procedure will instead be followed by the Trustee for Safeguarding.

If the allegation suggests that a child or adult at risk is at immediate risk of harm, then the Designated Safeguarding Lead will report the allegation to the police immediately.

In all other cases, the Designated Safeguarding Lead will either classify the allegation as a safeguarding allegation or a low-level concern. The Designated Safeguarding Lead will treat the allegation as a safeguarding concern if the staff member or volunteer 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 they may pose a risk of harm to children.
- Behaved in a way that indicates they may not be suitable to work with children.

All other allegations will be handled as low-level concerns.

## Managing safeguarding allegations

The Designated Safeguarding Lead will notify the most relevant Local Authority Designated Officer. This will be, in order of precedence, the Local Authority Designated Officer for:

- The area of the pupil receiving tutoring, if the allegation against a volunteer or staff member involves a current or former Tutor The Nation pupil.
- The area within which the staff member or volunteer is based, if this information is accurately available.
- The area where the Tutor The Nation office is based.

If the pupil is based in Wales, then the local Multi Authority Safeguarding Hub will be contacted and their advice will be followed, instead of a Local Authority Designated Officer, for the remaining steps of this procedure.

At this stage, the Designated Safeguarding Lead will also inform the school if the allegation involves a current or former Tutor The Nation pupil.

The Designated Safeguarding Lead will work with the Local Authority Designated Officer to assist them in their investigation until an outcome is reached.

If the allegation is found to be malicious, false, unsubstantiated, or unfounded, the details and any resulting outcome will be stored securely by the Designated Safeguarding Lead.

If the allegation is found to be substantiated, Tutor The Nation will work with the Local Authority Designated Officer to determine next steps. In the case of staff members, this will likely involve formal disciplinary procedures. In the case of volunteers, this will likely involve termination of the volunteer's relationship with Tutor The Nation and any additional legal action recommended by the Local Authority Designated Officer. Substantiated safeguarding allegations will be recorded in any references that are requested for the staff member or volunteer in question.

In some cases, and following advice from the Local Authority Designated Officer, it may be necessary for the Designated Safeguarding Lead to refer information about the concern to the Disclosure and Barring Service. Tutor The Nation is legally required to make such a referral when:

- An individual has engaged in conduct that harmed (or is likely to harm) a child or adult at risk, or an individual poses a risk of harm to a child or an adult at risk.
- An individual commits any of the offences outlined in the relevant section of the Safeguarding Vulnerable Groups Act 2006.

The Trustees will also consider whether any concern raised qualifies as a Serious Incident to be reported to the Charity Commission. In such circumstances, the Trustees will work with the Designated Safeguarding Lead and senior staff to submit this report.

Following the outcome of the Local Authority Designated Officer's investigation, it will likely be appropriate for the Designated Safeguarding Lead, assisted by senior staff, to prepare a report for the Board of Trustees outlining any lessons learned.

## Responding to low-level concerns

For allegations where following the procedures for a safeguarding allegation do not seem appropriate, the Designated Safeguarding Lead will instead follow the procedure for dealing with low-level concerns. For example, in cases such as a staff member or volunteer:

- Being over-friendly with children
- Having favourites
- Taking photographs of children on their mobile phone
- Engaging with a child one-to-one in a secluded area or behind a closed door
- Using inappropriate sexualised, intimidating, or offensive language

In general, these low-level concerns will involve breaches of the staff or volunteer code of conduct. The Designated Safeguarding Lead, in communication with senior staff, will decide on an appropriate response which may involve:

- Additional training, either for a specific member of staff or volunteer or for all staff and/or volunteers if a gap in training is perceived.
- Termination of a tutoring match between a volunteer and child.
- Formal disciplinary proceedings, in the case of a member of staff.
- Termination of volunteering relationship, in the case of a volunteer.

In such cases, the Designated Safeguarding Lead will still provide information to the school if the original allegation involves a current or former Tutor The Nation pupil. The Designated Safeguarding Lead will support the school if they decide to escalate the allegation following their own procedures.

For all low-level concerns, records of allegations and resulting actions will be stored securely by the Designated Safeguarding Lead. The record of low-level concerns will be reviewed twice a year by the Designated Safeguarding Lead to recognise any patterns.

## In the event of questions or concerns about this statement

In the first instance, all questions and concerns about this statement, or Tutor The Nation's other safeguarding policies and procedures, should be raised with the charity's Designated Safeguarding Lead, Ros Llewelyn, via email to [safeguarding@tutorthenation.org](mailto:safeguarding@tutorthenation.org).

Further questions concerning safeguarding and child protection should be directed to the NSPCC's Child Protection Helpline – 0808 800 5000.

This policy was last reviewed on 9th August 2022.

This policy will next be due for review on 9th August 2023.

Approved By: Jacob Kelly, Executive Officer

Signature:

A white rectangular box containing a handwritten signature in black ink that reads "J. Kelly".