



Lüderitz Blue School

Managing Allegations Made Against Staff Policy

1. OBJECTIVE

- i) The aim of this policy is to establish a secure and supportive atmosphere where learners at Lüderitz Blue School can thrive as inclusive, resilient, intellectual, and ambitious individuals.
- ii) This document serves as a guide for all members of the school community to understand and apply the school's policies in a consistent and equitable manner.

2. GUIDANCE FOR THE POLICY

- i) The procedures detailed herein are based on the statutory guidance document 'Working Together to Safeguard Children' (2023) from the UK Department for Education. It can be accessed at:
<https://www.gov.uk/government/publications/working-together-to-safeguard-children-2>.
- ii) These procedures align with Namibian laws, including:
 - **Child Care and Protection Act, 2015** (Act No. 3 of 2015): Establishes a framework for child protection and care in Namibia.
 - **Combating of Domestic Violence Act, 2003** (Act No. 4 of 2003): Addresses domestic violence and child abuse.
- iii) The policy should also be interpreted in conjunction with the **Namibian Combating of Immoral Practices Act, 1980** (Act No. 21 of 1980), which criminalises sexual relationships between individuals in positions of trust and children under 18 currently under their care or education.

3. SAFEGUARDING PROTOCOLS

- i) Staff at international schools are mandated to report any allegations or suspicions of child abuse. Employees are informed of their responsibilities and the procedures for reporting concerns.
- ii) Detailed procedures for reporting concerns are outlined in this policy and the School Safeguarding Policy.
- iii) Staff must be familiar with these procedures and their responsibilities regarding safeguarding.

4. REPORTING ALLEGATIONS OR CONCERNS

- i) Any learner disclosing possible abuse by a school employee must be listened to attentively without interruption.
- ii) Staff should not suggest alternative explanations for a learner's concerns or question them as part of an investigation.
- iii) Staff members cannot assure total confidentiality to learners disclosing allegations but must reassure them that their concerns will be taken seriously.
- iv) Upon receiving an allegation, immediate consideration must be given to the risk of significant harm to any child involved.
- v) The Designated Safeguarding Lead (DSL) and Heads of School must be informed without delay if a child makes an allegation against a staff member or volunteer.
- vi) The DSL and Heads of School will conduct an initial assessment of the allegation. Interviews should not occur in isolation, and additional learners should not be questioned. The Deputy DSL (DDSL) may assist in this process.
- vii) If the allegations appear credible:
 - The Senior Management Team will be notified, and the welfare of the child will be prioritised.
 - The Lüderitz Blue School Board will be informed and will contact the Ministry of Gender Equality and Child Welfare.
 - If the accused is a Board member, they will not participate in these discussions.
- viii) If the allegations do not appear credible but raise conduct concerns, the school's disciplinary procedures will be initiated.

- ix) If the DSL/Heads of School, in consultation with the Senior Management Team, find no cause for concern, all parties involved must be informed, and an Incident Report Form must be filed in the child's records.
- x) In cases where allegations involve the DSL or Heads of School, the DDSL will assume the role of DSL and consult the Lüderitz Blue School Board.
- xi) Allegations against staff or volunteers are considered unproven until established otherwise. If unfounded, this will not adversely affect the staff member's employment.
- xii) Certain behaviours by staff or volunteers may also raise concerns and will be managed following the procedures outlined in the School Safeguarding Policy.
- xiii) If physical restraint is required, it must adhere to the Use of Reasonable Force Policy, as specified in the Lüderitz Blue School Behaviour Policy.
- xiv) All staff and external personnel must cooperate with any child protection investigation, ensuring that any concerns are reported and investigations are supported.
- xv) Staff must avoid actions that could obstruct an investigation, including discussing allegations publicly or risking evidence being compromised. Even if police do not pursue criminal charges, staff must assist with any subsequent internal disciplinary investigations.
- xvi) Risk assessments and responses to concerns will be conducted with fairness, proportionality, and transparency.
- xvii) Evaluating whether an allegation warrants investigation is separate from determining its veracity.
- xviii) Decisions regarding the progression of matters will be made by the Heads of School, DSL, and designated board members after consulting external agencies.
- xix) Confidentiality is paramount throughout the process.
- xx) Discussions regarding physical intervention should occur between the Head of School and the DSL. Any allegations of assault beyond reasonable force should be referred to the police.
- xxi) Consultations are crucial to demonstrate the school's transparency in assessing whether allegations require referral.
- xxii) For additional details, refer to the School Safeguarding Policy and the Whistleblowing Policy.

5. AGENCIES INVOLVED IN INVESTIGATIONS

- i) In cases of allegations, three potential investigation pathways may be pursued:
- The school may conduct an internal investigation according to staff disciplinary procedures (refer to **Role of the School in an Investigation**).
 - The police may investigate under criminal law.
 - Steps recommended by Namibian Child Protection Agencies, with guidance from the Ministry of Gender Equality, Poverty Eradication, and Social Welfare.

6. SCHOOL'S ROLE IN INVESTIGATIONS

- i) The school may initiate investigations and take necessary action through the staff disciplinary process.
- ii) It is critical to keep child protection and criminal investigations distinct from any disciplinary actions.
- iii) The disciplinary process may be influenced by other investigations, and child protection agencies may recommend suspension or other protective measures following strategy discussions.

7. POLICE ROLE IN INVESTIGATIONS

- i) When an allegation is made against a staff member, they may be summoned for police questioning or potentially arrested.
- ii) In such instances, staff should seek legal counsel. International employees may also contact their respective embassy or high commission.
- iii) Interviews and arrests should, wherever possible, take place off school premises.
- iv) The school will strive to protect the staff member's identity and the institution's reputation.
- v) The police are responsible for investigating allegations that suggest criminal activity and guiding the process moving forward.

8. CHILD PROTECTION AGENCIES' ROLE

i) Namibia has several child protection agencies that are vital for safeguarding children's rights and welfare, operating across governmental, non-governmental, and international levels. Key agencies include:

- **Ministry of Gender Equality, Poverty Eradication and Social Welfare (MGEPESW):** The primary government entity focused on child welfare and protection, responsible for policy development, abuse prevention, and social worker management.
- **Lifeline/Childline Namibia:** This NGO provides crisis counselling and support services, including a helpline for abuse reporting.
- **Namibia Child Care and Protection Forum (NCCPF):** A coalition aimed at enhancing child protection systems through advocacy, best practice sharing, and collaborative initiatives.
- **Legal Assistance Centre (LAC):** An NGO that offers legal aid and advocacy for vulnerable groups, focusing on children's rights protection.
- **UNICEF Namibia:** Supports child protection programs, offering technical assistance, funding, and advocacy for children's welfare.

ii) These organisations collaborate to establish a comprehensive child protection system in Namibia, ensuring all children are safe and can reach their full potential.

iii) In cases of allegations, the school will typically report to MGEPESW and identify the appropriate agency for further investigation.

9. SUSPENSION GUIDELINES

i) The school's disciplinary procedure details the protocol for staff suspension, which includes providing necessary support during this period.

ii) Suspension serves as a neutral measure to protect the interests of all parties involved and does not imply guilt.

iii) The decision to suspend is made by the Heads of School and the School Board, taking into account factors such as:

- The nature of the allegation.
- An assessment of any potential risks.
- The context of the allegation.
- The individual's contact with children.
- Other relevant information.
- The consideration of alternatives to suspension.

- iv) Suspension should only occur if:
 - A child or children may be at risk.
 - The allegation is severe enough to warrant potential dismissal for gross misconduct.
 - It is necessary for an unimpeded investigation.
- v) Alternative measures to suspension may include:
 - Leave of absence.
 - Assignment to different duties with no direct contact with children.
 - Providing a colleague or assistant during interactions.
- vi) If the staff member is not based in a school, alternatives may involve:
 - Office duties.
 - Non-contact responsibilities only.

10. SUPPORT DURING SUSPENSION

- i) Staff suspensions can have profound implications, especially in potential child protection cases.
- ii) Therefore, all known facts and possible actions should be carefully evaluated before suspending an individual.
- iii) Staff facing allegations should be encouraged to seek advice and support promptly. The wider school community may also be affected by a suspension, necessitating support strategies.
- iv) When planning a staff member's return to work, careful considerations should be made to manage the situation sensitively.
- v) Suspended staff will be kept informed about the investigation's progress and any relevant school matters.

11. CONFIDENTIALITY PROTOCOL

- i) The Heads of School and School Board are tasked with protecting confidentiality to the greatest extent possible.
- ii) Sensitive information should only be shared with involved professionals on a need-to-know basis.
- iii) It is essential to strategize how information is managed and shared while maintaining confidentiality.

12. RECORD-KEEPING

- i) Investigations into allegations of offences against children must be documented to identify patterns of concern. Comprehensive records of all allegations and their outcomes will be retained by both the school and external child protection agencies.
- ii) A learner's records will include:
 - An Incident Report Form.
 - Documentation of discussions and meetings regarding the allegations.
 - Evidence of recommendations for further action or closure of the case.
- iii) The school will maintain transparency in case management, ensuring learners, families, and staff are informed of investigations and outcomes when appropriate.

13. CONCLUSION

- i) This policy reinforces the commitment of Lüderitz Blue School to uphold the highest standards of child protection.
- ii) The school is dedicated to a collaborative, transparent, and fair approach in addressing allegations against staff, thereby fostering a safe and supportive environment for all learners.

Written: Senior Management, 2024

Next Review Due: September 2025