



CONNECTED LEARNING
Statement of procedures for dealing with allegations of abuse against staff

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Allegations of Abuse against Staff Policy

Introduction

Connected Learning is committed to providing the highest level of care for both pupils and staff at all its schools. It is extremely important that any allegation of abuse made against any member of staff or volunteer at a Trust establishment is dealt with thoroughly and efficiently, maintaining the highest level of protection for any pupil involved in the allegation while giving support to the person who is the subject of the allegation.

Connected Learning policy is in line with statutory guidance from the Department of Education.

This policy is designed to ensure that all staff, pupils and parents or carers are aware of the procedure for the investigation of allegations of abuse in order that all complaints are dealt with consistently and as efficiently as possible. We believe that having a clear policy in place will help pupils to feel comfortable that they can voice any concerns they may have about a member of staff or volunteer.

Any allegation made will be reported immediately to the Headteacher / Head of School (or to the Executive Headteacher of Connected Learning and the Chair of the relevant Local Governing Body where the Headteacher /Head of School is the subject of concern). All allegations will be taken seriously and investigated immediately.

Purpose

The procedure for dealing with allegations against staff depends on the situation and circumstances surrounding the allegation. This policy must be followed when dealing with allegations but may be adapted to suit each case. This policy will be used alongside the school's Complaints Policy and Child Protection and Safeguarding Policy which are published on the Trust website and available in electronic and paper copies at each academy.

This policy will be used in any case where it is suspected or alleged that a member of staff, a teacher or a volunteer at the school has:

- Behaved in such a way that may have harmed a child or may have intended to harm a child. (Please refer to the Child Protection / Safeguarding Policy for definitions of what it means to harm a child)
- Acted in contravention of the law in relation to dealings with a child
- Behaved in any way that suggests they may be unsuitable to work with children

Timescale

It is imperative that allegations against staff are dealt with as efficiently as possible to:

- Minimise the risk to the pupil
- Minimise the impact on the pupil's academic progress
- Ensure a fair and thorough investigation for all parties

Procedure

1 Reporting an Allegation

All concerns of poor practice or possible child abuse by staff should be reported immediately to the Headteacher /Head of School (or to the Executive Headteacher of CL and the Chair of

the Local Governing Body where the Headteacher / Head of School is the subject of concern)
The Child Protection Officer (CPO) should also be notified.

Staff who are concerned about the conduct of a colleague towards a pupil are placed in a very difficult situation. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career. All staff must remember that the welfare of the pupils is paramount and should not hesitate to report immediately any concerns they have.

The Headteacher / Head of School (or the Executive Headteacher of the Connected Learning where the Headteacher / Head of School is the subject of concern) will contact the relevant Local Authority Designated Officer (LADO) concerning any allegation made. All available information concerning the allegation will be shared by the Headteacher / Head of School (or the Executive Headteacher where the Headteacher / Head of School is the subject of concern) with the LADO, any pupils involved and the person against whom the allegation has been made. The LADO and the Headteacher / Head of School (or the Executive Headteacher of Connected Learning where the Headteacher / Head of School is the subject of concern) will formulate a strategic action plan or move directly to put the matter into the hands of the Police. Representatives from agencies such as the Health Authority, GP, Social Services and the Police may be invited to assist in the formulation of the action plan.

This consultation will result in one of three outcomes:

1.1 The matter will not be taken any further

1.2 A discussion will be set up with relevant parties to identify a strategy and action plan in relation to the allegation

1.3 The involvement and support of the Police and/or Social Services will be requested

2 Investigation

An investigation into the allegations will normally be carried out by the Headteacher / Head of School and school staff, by the Trust Executive Chair or by the Police and/or Social Services. Parties to be involved will be agreed at the initial evaluation stage of each case. Where external agencies are involved, full co-operation will be given to aid the investigation.

Internal investigations will follow investigations conducted by external agencies; the latter will take precedence.

2.1 Supporting those Involved

2.1.1 Those making the Allegation and their Parents/Carers (if relevant)

Parents/carers will be notified if their child makes an allegation or is involved in an allegation against staff if they do not already know. However, if the Police and/or Social Services are involved, they will advise as to what information may or may not be disclosed to the parents/carers.

Parents/carers will be made aware of the investigation's progress and, where there is no criminal prosecution, the outcome will be explained to them. This may be a disciplinary outcome, in which case the deliberations and information used in making a decision will usually be confidential, but parents will be told the outcome.

Social Services and the Police may be involved, depending on the severity of the allegation of abuse, and will provide the school with advice on what type of additional support the child may need.

The Trust's Whistleblowing Procedure, which is published on BLT's and individual academy's websites and is available in electronic and paper formats to employees of all Trust academies, outlines how staff may raise concerns or allegations against their colleagues in confidence.

2.1.2 The Subject of the Allegation of Abuse

Connected Learning has a duty of care to its employees and will do everything to minimise the stress resulting from allegations made and the disciplinary process which will ensue.

The person who is the subject of the allegation of abuse and the subsequent investigation will be informed as soon possible of the fact that an allegation has been made by the Headteacher / Head of School (or by the Executive Headteacher and the Chair of the Local Governing Body where the Headteacher / Head of School is the subject of concern) after the Executive Headteacher and the Chair of the Local Governing Body have been informed. The person will then be advised of the next course of action. However, if any of these officials are of the opinion that the Police and/or Social Services should be involved, these agencies will be contacted for advice as to what information may be disclosed to the person against whom the allegation of abuse has been made.

The Headteacher / Head of School (or the Executive Headteacher of Connected Learning where the Headteacher / Head of School is the subject of concern) will keep the subject of the allegation informed of the progress of the investigation and any other relevant work-related issues. In the case that this person has been suspended, the Headteacher / Head of School (or the

Executive Headteacher where the Headteacher / Head of School is the subject of concern) will keep him / her informed of any developments regarding the case. If the employee is a member of a trade union or any other professional association, they will be advised to contact that body at the outset of the investigation.

The subject of the allegation may need additional support and the Headteacher / Head of School (or the Executive Headteacher where the Headteacher / Head of School is the subject of concern) will consider ways to accommodate this. If the allegation has prompted an investigation by the Police and/or Social Services, they may provide this additional support.

2.2 Confidentiality

The Headteacher / Head of School (or the Executive Headteacher where the Headteacher / Head of School is the subject of concern) will make every effort to guard the privacy of all parties during and after an investigation into an allegation. It is in everyone's best interest to maintain this confidentiality to ensure a fair investigation which will have minimum impact upon all parties.

A breach of confidentiality will be taken seriously and may warrant its own investigation. It is a criminal offence to publish information that could lead to the identification of someone who is the subject of an allegation before he/she is charged or summonsed.

2.3 Suspensions

A member of staff against whom an allegation has been made will not be suspended from duties automatically once an allegation has been made; such action will not be taken without serious consideration. Depending on the nature of the case, it may be possible that alternative arrangements can be made so that the individual can continue working while being removed from contact with the person who has made the allegation.

A suspension from duties may be decided upon if it is deemed that pupil/s and/or other members of staff may be at risk of harm, or if the nature of the case warrants a criminal investigation. The

Headteacher / Head of School (or the Executive Headteacher where the Headteacher / Head of School is the subject of concern) may suspend an employee but will be advised in this course of action by the Police and/or Social Services whether or not a suspension is advisable.

Where a suspension is to be put into effect, the employee will receive confirmation within one working day of the decision to suspend having been taken and will be informed of the reason for the suspension.

2.4 Resignations

If an employee hands in his/her resignation when an allegation of abuse is made against him/her, or during an ensuing investigation, the investigation will continue until an outcome has been reached, with or without his/her cooperation. The person will be given the opportunity to answer the allegation.

Compromise agreements will not be brokered in situations which are relevant to procedures arising from an allegation of abuse having been made.

2.5 Record keeping

Detailed records of all allegations made, investigations and outcomes will be held on the personnel file of the person against whom an allegation of abuse has been made and who has been the subject of a subsequent investigation. This person will be given a copy of any filed information. The record will be kept at least until the person retires, or for 10 years following the date of the allegation, whichever is the longer and irrespective of the person having left the Trust's employ. The record will be kept securely by the Personnel Officer with the personnel files of other academy employees,

Keeping detailed records will enable Connected Learning and their academies to:

2.5.1 Provide all the necessary information to potential employers should a reference be requested

2.5.2 Refer to details of an investigation and its result where DBS checks disclose the existence of an allegation having been made

2.5.3 Prevent unnecessary re-investigation in the event that an allegation re-surfaces

Allegations that are proven to be malicious will not be kept on employment records or used in employee references.

Details of any allegation made by a pupil will be kept in the confidential section of their record.

2.6 Action on Conclusion of the Case

2.6.1 Dismissal/Resignation

If the investigation results in the dismissal or resignation of a Trust employee, a referral will be made to the Disclosure and Barring Service in line with the following requirements.

Employers must refer someone to the DBS if they:

- Dismissed them because they harmed a child or adult
- Dismissed them or removed them from working in regulated activity because they might otherwise have harmed a child or adult
- Were planning to sack them for either of these reasons, but the person resigned first (<https://www.gov.uk/government/organisations/disclosure-and-barring-service>)

2.6.2 Suspension

If it is decided that the employee may return to school (after a suspension), then provisions will be put in place by the Headteacher / Head of School (or the Executive Headteacher where the Headteacher / Head of School is the subject of the suspension) to ensure that the transition is as smooth as possible. This may involve a phased return for a trial period or the use of another member of staff as a support system in the short term.

If the person who made the allegation is still at the school, the academy will consider what needs to be done to manage the contact between the parties.

2.6.3 Action in the Case of False Allegations

Where an allegation proves to be false, the Headteacher / Head of School and/or the Executive Headteacher may refer the case to Social Services to determine whether the person who made the allegation (where this is a pupil) is in need of care.

If the Headteacher / Head of School believes that a criminal offence has been committed by a member of staff or a student, the case will be referred to the Police.

If an allegation is found to be intentionally factitious and malicious, the Headteacher / Head of School and/or the Executive Headteacher will decide what the proper sanction will be for the person who made the false allegation. Where this is a pupil, the Behaviour Policy will be invoked. The Headteacher / Head of School has the power to suspend or exclude a pupil who makes a false claim, with reference to the Schools Exclusions Officer and with the support of the Governors' Disciplinary Panel.

2.6.4 After the case

No matter what the outcome is of an allegation of abuse made against a member of staff, the Headteacher / Head of School and/or the Executive Headteacher will review the case to see if there are any improvements that can be made to practices or policies that may help to prevent similar cases in the future.