

POLICY Allegations of Abuse against Staff	REF: SG002 Safeguarding & Wellbeing	VERSION: 1
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LEAD PERSON:		
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1. 22/03/2017	Multi Academy Trust Board	New Policy
2.		

Allegations of Abuse against Staff Policy

Introduction

This policy forms part of the overarching Safeguarding policy.

This document provides the steps to take where there is an allegation of physical or sexual abuse against an Activate Learning Educational Trust employee in relation to a student. The process described in this document is intended for use with both teaching and student services employees. In this procedure, the term “parents” means all those having parental responsibility for a student.

Aim

The Academy recognises that any allegation is serious and needs to be dealt with in a sensitive, efficient manner. It is also important that those with responsibilities described in this procedure act without delay. All parties involved are likely to be distressed. Any disruption to the normal running of the Academy should be minimised.

Receiving an Allegation

All allegations of physical or sexual abuse made against an Activate Learning Educational Trust employee in relation to a student must be reported to the Academics Child Protection Officer (CPO).

The CPO must make a written record (timed and dated) of what has been reported. If possible, the allegation should be written by the student or the person to whom the allegation was first made.

Total confidentiality must not be promised to the student or adult making the allegation or disclosure. For example, the person against whom the allegation has been made will have a right to know the substance of the allegation if disciplinary or legal action is to be taken. The police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless that individual is charged with a criminal offence.

The CPO should take advice from the LADO team/Police/Social Services to agree who needs to know and, importantly, exactly what information can be shared; How to manage speculation, leaks and gossip; What if any information can be reasonably given to the wider community and reduce speculation; and How to manage press interest if and when it arises.

The CPO must not discuss the allegation with the accused person prior to reporting the matter to the Head/Principal.

In the event of the allegation being made against the Head/Principal, the CPO is responsible for reporting the allegation to the Chair of the Local Board of Governors, who will undertake the role assigned to the Principal throughout this procedure.

Employees receiving an allegation against the CPO should refer the matter directly to the Head/Principal.

Head/Principal's initial consideration of an allegation

The Head/Principal, in consultation with the CPO, should decide whether any enquiries are necessary in order to decide whether or not to refer the matter to Social Services or the Police. The Head/Principal and the CPO should consider what information needs to be gathered and how it is to be obtained. Employees or students must not be interviewed. Third parties within the Academy may be asked, but not required, to write an account of their direct experience in relation to the allegation.

Where the Head/Principal considers that a referral might be warranted under Child Protection Procedures, s/he must refer the matter accordingly without delay. Any alleged physical injuries must be investigated by the appropriate external agencies.

The Head/Principal may seek advice from appropriate agencies. These agencies include the Social Services, the Department for Education, Safeguarding team and the Police.

At this initial stage, the Head/Principal, in consultation with any external agencies, should decide on the extent to which information can be shared with the Academy employees who is the subject of the allegation.

If the Head/Principal decides to refer an allegation to the Social Services and/or the Police, any internal enquiries should be held in abeyance until the Social Services or Police have indicated that they have no further involvement.

If an external referral is decided

The Head/Principal should contact the Duty Officer at the Social Services office or the Police, as appropriate, to report the allegation.

The Head/Principal should discuss with the Duty Officer what may and may not be said to the student/parent, to the Academy employee against whom the allegation has been made, and to the initial informants.

The Head/Principal should inform the Chair of the Local Board of Governors that an allegation relating to a Academy employee has been referred. The Head/Principal should not describe the circumstances of the allegation to the Chair of Governors at this stage.

The Head/Principal should prepare a standard response to queries from parents, guardians and the media. The response should indicate that:

- i) The matter is governed by procedures which the Head/Principal is obliged to follow.
- ii) The matter is in the hands of the appropriate agencies and no further comment can be made.
- iii) No names can be given for public use.

When inter-agency discussions take place, it is essential that the Head/Principal or a substitute attends.

When the appropriate agencies have completed their procedures, the Head/Principal may decide that an internal investigation should be carried out to establish whether or not the Academy's Disciplinary Procedure should be invoked. Any disciplinary investigation conducted by the Academy must follow the Academy's Disciplinary Procedure. Interviews with children should be kept to a minimum.

If an external referral is not made

An external referral would not normally be made when the Head/Principal is satisfied that children are not at risk of significant harm or that a reportable criminal offence has not been committed.

An internal investigation should be carried out to establish the circumstances. If the Head/Principal decides that disciplinary action may be appropriate, the Academy's Disciplinary Procedure should be invoked. Any disciplinary investigation conducted by the Academy must follow the Academy's Disciplinary Procedure. Interviews with children should be kept to a minimum.

Suspension of Staff

Suspension should not automatically follow an allegation but it may be an appropriate step at any stage, depending on the information available. Suspension is not a disciplinary action.

The decision on suspension is for the Head/Principal to take. Where external agencies are involved, any decision on suspension should be made after consultation with them. Factors such as the seriousness of the allegation, the perceived risk to children, the existence or otherwise of previous complaints and the possible conduct of the investigation may be relevant.

Employees who are suspended should be advised who is their point of contact in the Academy. Employees who are suspended should also be advised to contact their professional association, trade union or other professional body.

Role of the Local Board of Governors

Members of the Local Board of Governors will not normally become involved in child protection inquiries involving Trust employees unless the Governor is subsequently requested to participate under the Academy's Disciplinary Procedure.

Record keeping

The CPO is required to manage the keeping of records in relation to the allegation. Where a person makes an oral statement, a written record should be produced and, as with other written statements, it should be signed and dated by the author. Malicious allegations should be removed from personnel records. When an allegation is resolved the CPO will write to all relevant parties with the findings.

The CPO should also ensure that a record is maintained of the process followed in handling the allegation. The Head/Principal should verify the accuracy of that record.

These records must be stored securely.

Monitoring and Evaluation

The Local Board of Governors and Head/Principal will monitor the operation and effectiveness of the Academy's Allegations of abuse against staff' policy.

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