

Managing Allegations Against Staff Procedures/Volunteers Policy

ACORN EDUCATION
AND CARE



Policy Number:	SA02	Originator:	Lukasz Miecznikowski
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Introduction

The Greater Horseshoe School is committed to providing the highest level of care for both its pupils and its staff. It is extremely important that any allegations of abuse against a teacher, any other member of staff, or volunteer in our school is dealt with thoroughly and efficiently, maintaining the highest level of protection for the child whilst also giving support to the person who is the subject of the allegation. Acorn Education and Care recognises its collective responsibility to safeguard and protect the welfare of children and young people in accordance with its statutory responsibility under Section 175 of the Education Act 2002 and where appropriate under the Children Acts.

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 efficiently as possible.

We hope that having a clear policy outlined will help pupils to feel comfortable that they can voice concerns about any member of staff. Allegations will be reported to the Headteacher (Lukasz Miecznikowski) immediately or to Acorn Care and Education's Director and Lead Governor for the Greater Horseshoe School where the Headteacher is the subject of an allegation. Mike Deacy is the lead Governor can be contacted on Michael.Deacy@oaktreeschoolcornwall.co.uk. 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 each case. This policy will be used alongside the school's

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complaints policy, safeguarding policy and safer recruitment policy. These policies can be downloaded from our website: <http://www.thegreaterhorseshoeschool.co.uk/> or can be produced on request by contacting the School Office (01626 782038)

The Greater Horseshoe School will manage all allegations against staff and/or volunteers in accordance with the agreed South West Child Protection Procedures (www.swcpp.org.uk). This policy will be used in any case where it is suspected or alleged that a member of staff or a volunteer at the school 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 he or she may pose a risk of harm to children.

Timescale

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

- minimise the risk to the child
- minimise the impact on the child's academic progress
- minimise stress to the employee concerned
- ensure a fair and thorough investigation for all parties

To enable this to happen, all staff, parents, and students should be aware of the procedures set out in this policy.

Procedure (See Appendix 1 – Allegations Against Staff Flowchart)

Reporting an allegation

All concerns of poor practice or possible child abuse by staff should be reported immediately to the Headteacher. Complaints about the Headteacher should be reported to the Director who will then contact the local authority designated officer (LADO).

The Local Authority Designated Officer is Rosie Geis

Rosie Geis

M: 07971308305

T: 01392 384964

E: rosie.geis@devon.gov.uk,

E: childsc.localauthoritydesignatedofficersecure-mailbox@devon.gov.uk

Staff who are concerned about the conduct of a colleague towards a pupil are undoubtedly 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 child is paramount and must report their concerns immediately.

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The LADO will be contacted by the Headteacher/DSL and a discussion will take place to decide whether:

- no further actions are needed; or
- a strategy discussion should take place; or
- there should be immediate involvement of the police or social care.

The school will share available information with the LADO about the allegation, the child, and the person against whom the allegation has been made and consider whether a police investigation or a strategy discussion is needed. Representatives from other agencies may be invited to the discussion and could include representatives from health, social care and police.

Investigation

An investigation into the allegation is normally carried out by children's social services or by the school. This will be agreed at the initial evaluation stage. Where the school is not conducting the investigation it will cooperate with investigative agencies.

Internal investigations must be second to any safeguarding investigation and may need to be delayed until the external investigation is complete.

Supporting those involved

The person(s) who makes the allegation and their parents/carers

Parents and carers will be notified if their child makes or is involved in an allegation against staff if they do not already know. However, if the police or social services are to be involved, they will be contacted first and will advise as to what information may or may not be disclosed to the parents. The Headteacher (Lukasz Miecznikowski) or Family Support Worker (Sarah South) will liaise with the parents and child about the case and ensure that they are fully informed as far as is possible. Parents and carers will be made aware of any progress in the investigation, and where there is no criminal prosecution, the outcome will be explained to them. This may be a disciplinary outcome. During a disciplinary hearing the deliberations and information used for making a decision are usually confidential, but parents will be told the outcome.

Social services and the police may be involved and will provide the school with advice on what type of additional support the child may need.

The school's **whistleblowing policy** can be accessed via the School Office or can be downloaded by staff through Cascade. The policy enables staff to raise concerns or allegations against their colleagues in confidence and for a sensitive enquiry to take place.

The employee

Acorn Education and Care has a duty of care to its employees and will do everything to minimise the stress of any allegation and the disciplinary process.

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The person who is the subject of the investigation will be informed as soon as the allegation has been made, but only after the Headteacher has spoken to our lead Governor (Mike Deacy) and LADO. The employee will then be advised on what the next course of action will be. However, if the police or social services are to be involved, they will be contacted before the employee, and will advise as to what information may be disclosed to the person under investigation.

The Headteacher will keep the employee informed of the progress of the case and any other work-related issues.

The employee may need additional support and the school will consider what might be appropriate to best accommodate this. If it is a criminal investigation and the police are involved, they may provide this additional support.

Confidentiality

The school 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 with minimum impact for 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 a teacher who is the subject of an allegation.

Suspensions

The school will not suspend a member of staff without serious consideration, and will not do it automatically once an allegation has been made. Depending on the nature of the case, it may be possible that alternative arrangements are made so that the individual can continue working.

Acorn Education and Care holds the power to suspend an employee but will be advised by the police and or social care whether or not a suspension is necessary.

In the case of suspension, the employee will receive written confirmation within one working day and will be informed of the reason for the suspension.

Resignations

If an employee resigns when the allegation is made against them or during an investigation, the investigation will continue until an outcome has been reached, with or without the employee's cooperation. They will be given full opportunity to answer the allegation.

Compromise agreements will not be used in situations which are relevant to these procedures.

Record keeping

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Where an allegation is found to be malicious, it will be removed from the record of the employee concerned.

For all other allegations, records of investigations and outcomes will be kept in the employee's personal file and they will be given a copy.

The record will be kept, including for people who leave the organisation, at least until the person reaches normal retirement age or for 10 years if that will be longer, from the date of the allegation.

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

Acorn Education and Care will inform the Disclosure and Barring Service (DBS) where a member of staff has been disciplined or dismissed as a result of the allegations founded, or would have been if they have resigned.

Action on conclusion of the case

If it is decided that the employee may return to school after a suspension, then provisions will be put in place by the school 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 child who made the allegation is still at the school, the school will consider what needs to be done to manage the contact between employee and child.

Action in the case of false or malicious allegations

Where an allegation is proved to be false, the Headteacher may refer to social services to determine whether the child is in need of support or has been abused by someone else.

The school's **behaviour policy** sets out the disciplinary action that may be taken against pupils who are found to have made malicious accusations against school staff. The Headteacher may consult with Acorn Education and Care's DSL when considering what action to take.

If the claim has been made by a person who is not a pupil, the school will pass the information to the police who may take further action against that person.

After the case

No matter what the outcome is of an allegation of abuse against staff, the school will review the case to see if there are any improvements that can be made in its practice or policy that may help to deal with cases in the future.

References

- Gov.uk: Disclosure and Barring Service: criminal record checks, referrals and complaints
- HM Government (updated 2017) Working together to safeguard children: a guide to inter-agency working to safeguard and promote the welfare of children (DfE)

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- Department for Education (DfE) (March 2012) Dealing with allegations of abuse against teachers and other staff: guidance for local authorities, head teachers, school staff, governing bodies and proprietors of independent schools. [London]: Department for Education
- Keeping Children Safe in Education (Sept 2020)

Equality Impact Statement

All relevant persons are required to comply with this policy and must demonstrate sensitivity and competence in relation to diversity in race, faith, age, gender, disability and sexual orientation. If you, or any other groups, believe you are disadvantaged by this policy please contact the Regional Director for Acorn Education and Care. Outcomes First Group will then actively respond to the enquiry.

This policy is written by Lukasz Miecznikowski

Date: 25th July 2021

Signed:

This policy is quality assured by Mike Deacy, Regional Director.

Signed:

Date:

The policy is quality assured by Governor:

Date:

Signed: