

### **Introduction:-**

Our aim is to provide a safe and supportive environment which secures the well-being and very best outcomes for the children at our school. We do recognise that sometimes the behaviour and actions of adults may lead to an allegation of abuse being made.

Allegations sometimes arise from a differing understanding of the same event, but when they occur they are distressing and difficult for all concerned. We also recognise that many allegations are genuine and there are some adults who deliberately seek to harm or abuse children.

We take all possible steps to safeguard our children and to ensure that the adults in our school are safe to work with children. We will always ensure that the procedures outlined in the 'Hertfordshire Safeguarding Children Board Inter-agency Procedures' and Part 4 of 'Keeping Children Safe in Education', DfE (2016) are adhered to and will seek appropriate advice from the Local Authority Designated Officer (LADO). The Hertfordshire LADO Service can be contacted on **0300 123 4043**.

If an allegation of abuse is made against a member of staff, the person receiving the disclosure must take it seriously and report it to the Headteacher.

If any member of staff has reason to suspect that a colleague may have acted inappropriately / abused a child they must immediately inform the DSP / Headteacher, or in her absence the Deputy Head / DSP. They should also make a record of the concerns (including details from anybody else who witnessed the alleged incident).

If a parent reports a concern, it must be directed to the Headteacher / DSP, or the Deputy Head / DSP.

### **Timeliness:**

In order to ensure accuracy, and to limit a potentially traumatic experience, action must be taken immediately.

The Senior member of staff must meet with the complainant and take details of the alleged complaint including what is alleged to have happened, how, where, when, any resulting injuries / after effects etc. – a record of this conversation will be made – signed and dated.

### **Making a Referral:**

At this stage the Headteacher / Deputy Head / DSP will not investigate the allegation any further, or take written or detailed statements, but will assess whether it is necessary to refer to the Local Authority District Officer (LADO).

The Chair of the Governing Body will also be informed immediately and kept up to date with developments.

Following any allegation the Head / Deputy / DSP will complete Sections One and Two of the LADO referral form.

The form will be submitted to LADO within one working day of the allegation being made.

(If it does not meet the threshold for referral, Section One is retained and kept on record.)

***The member of staff against whom an allegation has been made should not be informed of said allegation until action is agreed with the LADO.***

However, reasonable adjustments to that members of staff's duties may be necessary to ensure other children are not at risk.

**If the situation is urgent call 0300 1234 043 or 999.**

#### **Initial Consultation with LADO:**

The Head / Deputy / DSP will give details regarding:

- Is there reason to suspect that a child is suffering, or likely to suffer significant harm.
- Is there a possibility of a criminal offence having been committed.

If LADO determines that there is no role for the Police or Children's Services, they will request an internal investigation by school management.

Senior staff will then carry out a full investigation – in consultation with the CP Governor and Chair of Governors a solution will be found. This may warrant re-referral - a formal 'warning', or the allegation may prove to be unfounded.

The complainant has a right to know the outcome of the investigation and will be informed by letter.

#### **Suspension:**

This is NOT an automatic response.

Suspension should only be employed following consultation and advice given by LADO. It is likely only to be considered if a Police investigation is warranted, if a child/children have been harmed, or if a child/children are at risk of harm.

Other members of staff and parents should be told only that the staff member is off for 'personal reasons'.

#### **Further Consultation with LADO:**

- A Strategy Meeting / Joint Evaluation Meeting will be held within two working days. (The exception being if Police are carrying out an investigation and call for a delay – their findings will be essential to the meeting.)
- Attendees: HR, Police, Headteacher, Chair of Governors, Social Care – LADO will 'chair' the meeting in their role of co-ordinator.
- School will be prepared to provide information regarding the staff member's employment details – e.g. length of service, contract type, practice to date, DBS, references etc.
- School will be prepared to provide information regarding the child at the centre of the allegation – e.g. previous concerns, outside agency involvement, general background etc.

#### **Agencies will report upon findings of investigations to date.**

The complainant will be kept informed of progress – however, some information may be redacted.

## **Outcomes:**

If the allegation is upheld disciplinary proceedings will begin.

If it is found that significant and wilful abuse has taken place it is likely that a referral to the Disclosure and Barring Service (DBS) will be made to 'bar' the individual from working with children and dismissal proceedings will begin – it is further possible that criminal proceedings will also continue.

If the allegation is found to be unfounded, no further action will be taken and the records of the allegation will not be held against the staff members file, nor mentioned in references.

If the allegation is found to have been malicious, the school has the right to permanently exclude that person from the school grounds (if originated from adult) or permanently exclude the pupil from the school role (if originated from child).

If the Balance of Probability suggests that the alleged 'complaint' did not take place then the allegation will be deemed 'unfounded'. However, it is recognised that the question of what did actually happen remains. Therefore, the case may remain open with the police and investigations may continue outside of school (with which the school will fully cooperate) – however LADO's involvement will cease.

## **Duty of Care to Staff Member**

Throughout, the school will remember that they have a duty of care to their member of staff.

- The staff member should be informed as soon as possible following initial consultation with LADO – providing limited information with regard to who has made the allegation and the details of the complaint
- The member of staff may choose to have a 'point of contact' other than the Headteacher / DSP, that being another member of staff with whom they can discuss their concerns. (This must be a member of staff who would not be involved if the case progressed to a disciplinary level. This colleague will not discuss any details with other members of staff – this person will act as 'go between' between the said member of staff and the Headteacher / DSP.
- The member of staff should be advised to contact their union and / or doctor and / or be released for counselling if required.
- While social contact should not be prevented, privacy is recommended and advised.
- Other members of staff should not be given details of the allegation.
- Social media if used at all, must be used with absolute care and caution.

## **Reporting Restrictions**

Nothing generated by the school should lead to the identification of the child or the staff member about whom an allegation has been made.

- The staff member in question will be instructed not to discuss the case with colleagues – with the exception of the 'point of contact' member of staff.
- Letters home should be avoided (this includes parent-mail and newsletters).
- No school employee will refer to the allegation on social media.

- Wherever possible, parents who raise a concern will be reassured that their children are safe by a personal meeting rather than by letter.
- Where a letter is required it will not contain names or details.
- Governors will ensure that Risk Management Plans are put in place when required and when asked, will reassure parents that measures are in place to keep their children safe.

All restrictions will continue to apply until such time as the staff member is either charged with an offence or information is formally published by the Secretary of State (otherwise the school will keep the information secure forever).

### **Record Keeping**

The purpose of record keeping is to enable accurate information to be provided in response to any further enquiry or request (including references). It will also provide clarification if future DBS disclosures reveal information.

Where a criminal case has resulted from an allegation all paper work will be made available to the relevant authorities.

Details of allegations that have been found to be malicious will be removed from the staff members personnel file. However, paper work may be kept in a secure file, clearly marked 'unfounded and / or malicious allegation' and would only be reopened if a further allegation is made and the information held within it is believed to be useful.

In all other cases a clear and comprehensive summary should be kept on file, copied to the staff member and kept until retirement, or for 10 years if longer.

The LADO keeps detailed records for monitoring and reporting requirements.

### **References**

Cases in which an allegation was proven to be unsubstantiated, unfounded or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be unsubstantiated, malicious etc., should also not be included in any reference. (*See Dealing with Allegations of Abuse Against Teachers and Other Staff –DfE 2011.*)

### **Compromise Agreements**

Compromise / settlement agreements, by which a person agrees to resign if the school agrees not to pursue disciplinary action and both parties agree a form of words to use in future references should not be entered into, to do so would be a criminal offence.

### **Historical Allegations**

Allegations made against a teacher or another member of staff, who is no longer at the school will be immediately referred to the police.

### **Risk Assessment Management Plans.**

A 'RAMP' may be completed at anytime even if an allegation has not been made – circumstances might include:

- Previous allegations have been made about said member of staff.
- The member of staff lives with an individual who is on the prohibited list.

Such an assessment is put in place to protect the member of staff as well as to protect the school community.

The RAMP will include details such as:

- Ensure the code of conduct is signed
- Ensure the Child Protection policy is signed
- No IT equipment will be taken home
- Reasonable adjustments made to timetable and responsibilities
- Mechanism by which the member of staff can keep the school informed as to issues occurring outside of school (including abuse from others).

### **Managing the Aftermath of an Allegation.**

The school community will be reassured by the Governing Body that :

- Advice has been sought and full cooperation given to the authorities throughout the whole process.
- Safety measures are in place – the Child Protection Policy and Staff Code of Conduct are being adhered to and that the Governors themselves are satisfied that pupils are safe.

### **Safe Practice**

St Johns adheres to the following practices to reduce the risks of allegations being made against members of staff:

- Child Protection Induction for new members of staff.
- Level 1 Safeguarding training as soon as possible after that – then three yearly re-training.
- Annual refresher training.
- Whistle Blowing Policy – reviewed annually.
- A Staff Handbook.
- A Staff Code of Conduct
  - *Staff sign to demonstrate that they have read and accept the policies.*
- Clear ethos of Safeguarding made apparent throughout the recruitment and selection process (advert / interview etc.) overseen by SLT personnel trained in Safer Recruitment.