



***Working and learning together for success***

## **Dealing with Allegations of Abuse Against Staff (Including Volunteers)**

*Sarisbury CE junior School is committed to safeguarding and promoting the wellbeing of children and young people and expects the school community to share this commitment.*

### **These procedures should be applied within the context of Sarisbury CE Junior School's Safeguarding Policies and Practices**

#### **Aim**

To ensure that any allegation of abuse against a member of staff, including a volunteer, is dealt with consistently, fairly, sensitively and as quickly as possible in a way which provides effective protection for the child, and provides support for the person who is the subject of the allegation.

The procedures set out in this policy apply to all cases in which it is alleged that a member of staff, including a volunteer, at Sarisbury CE Junior School has;

- Behaved in a way that has harmed or may have harmed a child (any person under the age of 18 years).
- Possibly committed a criminal offence against or related to a child.
- Behaved towards a child in a way that indicates that he/she is unsuitable to work with children.

#### **Procedures**

Up to three strands may apply in the consideration of an allegation;

- Consideration by the Governors and Headteacher as to whether disciplinary action is required / not required in respect of the member of staff.
- Enquiries and assessment by children's social care about whether a child is in need of protection or in need of services
- A police investigation of a possible criminal offence

The procedures followed by the school will be informed by the professional judgement of the Headteacher based on the evidence available, and after consultation with the Local Authority's Allegations Officer and the Chair of Governors.

#### **Applying the procedures**

A whistle-blowing culture will be promoted to help safeguard children and young people. Sarisbury CE Junior School has adopted the Local Authority's Whistle Blowing Policy as outlined in the Manual of Personnel Practice.

1. Disclosure of an allegation, whether reported by a child, parent or member of staff, must be reported immediately to the Headteacher or, in his absence, a Deputy / Assistant Headteacher. In the case of an allegation against the Headteacher, the Chair of Governors must be informed immediately or Vice Chair in their absence.
2. If the allegation appears to meet the criteria listed above, the Headteacher, (or if an allegation made against the Headteacher, the Chair of Governors), will seek guidance from the Local Authority's (LA) Allegations Officer. The Allegations Officer will consult with social care and the police. The Allegations Officer will advise the Headteacher as to;
  - how and what to say to the parent/carer
  - how to manage the investigation
3. In the event of a very serious allegation, the Headteacher will make an immediate referral to social care and the police. The Allegations Officer will be informed of the actions taken by the School.

4. The Headteacher will ensure that the parent/carer of the child is informed if the child has been injured / sustained harm.
5. The Headteacher will inform the accused person about the allegation as soon as possible after consulting with the Allegations Officer. *(In the event of social care and/or the police being involved there will be no discussion with the accused until it has been agreed with the agencies what information can be disclosed to the person concerned).*

The Headteacher will advise the member of staff to seek support from his/her professional association or union. The Headteacher will ensure the member of staffs' access to the 'Employer Helpline.'

6. The Headteacher will convene a strategy discussion with the appropriate agencies and School DSL if there is cause to suspect that the child is suffering, or is likely to suffer, significant harm.
7. The Headteacher will undertake an investigation as advised by the Allegations Officer (Reference: In house Investigation – see below).
8. In the event of a police investigation, the Headteacher and Allegations Officer will agree whether the School should take action within the disciplinary process in parallel with the criminal investigation, or whether any disciplinary action should wait until the police have completed their investigations and / or prosecution.
9. The Headteacher will inform the Chair of Governors that an investigation is being carried out. At this stage the full details will not be disclosed to the Chair in case there is a future need for an internal enquiry.

### **Completing an In-house Investigation**

1. This will proceed immediately if a police investigation is not considered necessary.
2. The Headteacher will direct an appropriate member of senior staff to complete the investigation.
3. Statements will be taken from the alleged victim, the member of staff accused and any reliable witnesses. Statements should be signed and dated by the named individuals.
4. The Headteacher will make a decision based on the information received in consultation with the Allegations Officer.
5. If the Headteacher considers that disciplinary action is not necessary, appropriate action will be instituted within 3 working days. If the decision is to proceed with a disciplinary hearing, and this can be held without further investigation, the hearing will be held within 15 working days.
6. The Headteacher will inform the Clerk to Governors to convene the disciplinary hearing.

### **Suspension**

The decision to suspend the member of staff, while the investigation continues or pending further action, rests with the Headteacher or, where the allegation is against the Headteacher, with the Chair of Governors. Suspension will not be automatic, or applied without considerable thought as to whether the circumstances warrant a person being suspended from contact with children until the allegation has been investigated and resolved. However, the wellbeing of the child will be paramount.

Suspension will be considered where:

- there is cause to suspect that a child is at risk of significant harm
- the allegation warrants a police investigation
- the allegation is so serious that it might be grounds for dismissal

### **Monitoring Progress of the Investigation**

1. It is the responsibility of the Allegations Officer to monitor the process. In fulfilling the School's duty of care to staff, the Headteacher will undertake a fortnightly review of the situation with the Allegations Officer so that the accused person is kept abreast of the situation via his / her professional association or union representative and, if appropriate, the Education Personnel Service.

## **Information Sharing**

1. The Headteacher will contribute to the strategy discussion and/or police investigation by sharing relevant information about the member of staff and the alleged victim.

## **Action following a criminal investigation or a prosecution**

1. On completion of a criminal investigation or prosecution, the Headteacher will agree with the Allegations Officer any further action required by the School. The School's actions will be informed by the outcome of the investigation. Dismissal may be considered.
2. If the allegation is substantiated and the member of staff is dismissed, resigns or ceases to provide his/her services to the School, the Allegations Officer and Headteacher will discuss whether a referral to one of the following is required:
  - o Protection of Children Act List or DCSF List 99
  - o General Teaching Council
  - o Other Regulatory Body

## **Return to work following a suspension**

It is recognised that a period of suspension may be a very stressful experience for all concerned. Every effort will be made to ensure that a return to work is managed consistently and sensitively, while continuing to meet the needs of the School Organisation.

1. The Headteacher will manage the return to work, with guidance from Education Personnel and / or Occupational Health and with thought to the specific incident. Options may include one or more of the following:
  - o Phased return
  - o Changes to the timetable
  - o Provision of a mentor
  - o Referral to Occupational Health (if not involved previously)
2. The Headteacher will consider how the member of staff's contact with the child/children who made the allegation, and the parents, is best managed.
3. In the event of the allegation being made by a whistleblower, the Headteacher will give consideration as to how relationships between the members of staff are best managed to support the staff members while ensuring the effective running of the School Organisation.

## **Actions in response to a false or unfounded allegation**

1. Where a child/children has/have made an unfounded allegation, the Headteacher will refer the matter to Children's Social Care.
2. Where an adult has made an unfounded allegation, the Headteacher will seek further guidance from Education Personnel.
3. In the event of an allegation being found to be a malicious act (child or adult), the Headteacher will refer the matter to the police.

## **Other related policies and documents**

- o Child Protection Policy
- o Safer Recruitment Policy
- o Anti-bullying Policy
- o Keeping us all Safe: Checklist for volunteers and visitors
- o Whistle Blowing Policy

## **Useful references for administering these procedures.**

Local Authority's Allegations Officer, Barbara Piddington;

Tel No: 01962 876265  
07903 649503

Social Care (Hants Direct)

Tel No: 01329 225379

Education Personnel

Tel No: 02380 383501

Occupational Health

Tel No: 02380 626600

Police

Tel No: 0845 045 45 45

Employers' Helpline

Tel No: 02380 626603

A full copy of the School's 'Dealing with Allegations of Abuse Against Staff (including Volunteers)' will be available on the school's website.

Hard copies of each document are available from the School Reception. A small charge may be made to cover the cost of photocopying. Please allow time for copies to be made.

Reviewed      5<sup>th</sup> July 2017