



Lindow Community Primary School

School Policies

Control Sheet

Policy: **Allegations of Abuse Against Staff**

Policy Type: **Statutory**

Author: **Amelia Lomas**

Approved by: **Governing Body**

Reviewed: **Annually**

Policy: Allegations of Abuse Against Staff

1. Criteria

In accordance with this guidance, where an allegation is made against anyone who works with children at Lindow Community Primary School, that s/he:

- has behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or in relation to a child
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

The following procedure will be implemented.

2. Procedure

2.1. Responding to an allegation or complaint from a child

The person who receives information regarding the allegation will not question the child or investigate the matter any further. They will inform the Headteacher; if the Headteacher is involved in the complaint the Chair of Governors or their appointed representative will act in place of the Headteacher concerning the complaint. Whoever is dealing with the allegation may or may not deem it necessary for another adult to be present, depending upon the circumstance.

The Headteacher (or substitute)

- will treat the matter seriously
- will avoid asking leading questions and communicate with the child in a manner appropriate to the child's understanding and communication style (in line with the school's safeguarding procedures)
- will make a written record of the information, where possible in the child's own words, stating when the alleged incident took place, who was present and what was said to have happened
- record any other information about times, dates and location of any incident and the names of potential witnesses
- the record must be signed and dated by the Headteacher (or substitute).

2.2 Responding to an allegation or complaint from an adult

The person who receives information regarding the allegation will inform the Headteacher in the first instance or the deputy Headteacher, if the Headteacher is unavailable. If the Headteacher is involved in the complaint the Chair of Governors or their appointed representative will act in place of the Headteacher concerning the complaint.

- the Headteacher will treat the matter seriously
- the Headteacher will meet with the person concerned and make a written record of the information stating when the alleged incident took place, who was present and what was said to have happened

- record any other information about times, dates and location of any incident and the names of any potential witnesses
- the record must be signed and dated by the Headteacher (or substitute), the member of staff and the independent witness, if one is present
- either party may request an independent witness to be present during this meeting.

If the allegation meets any of the criteria outlined (above), the Headteacher (or substitute) will report it to the Local Area Designated Officer (LADO) within one working day. Referral to the LADO will not be delayed to gather any further information.

The Headteacher (or substitute) and the school will cooperate with all relevant authorities involved and will share all relevant information about the person who is the subject of the allegation and the alleged victim to assist in any further investigation.

2.3 Initial action

The Headteacher (or substitute) will record the incident verbatim from all parties involved; this will also involve witness accounts.

They will

- obtain written details of the allegation, signed and dated by the person receiving the allegation or complaint
- countersign and date the written details
- record any other information about times, dates and location of any incident and the names of any potential witnesses.

2.4 Informing accused person/Suspension

The Governing Body will inform the accused person of the allegation as soon as possible after prior consultation with the LADO. The governors will consider carefully whether the circumstances of the case warrant an immediate suspension of the person involved from contact with children, until the allegation is resolved. The governors will seek guidance from the LADO when considering a suspension.

Any suspension will be on full pay, until decided otherwise. It will be made clear that the accused is innocent at this point; the suspension is to protect both parties during the process of investigation.

2.5 Further action supporting those involved

Parents or carers of any child involved will be told about allegations as soon as possible, after discussion with the LADO as to the most appropriate way this should be done and by whom. In cases where a child has been injured whilst in the school's care, the parents will be informed immediately.

The governing body will keep any staff member who is the subject of an allegation informed of the progress of the case and will arrange appropriate support/advice for the accused to seek support from their trade union or other relevant professional association.

2.6 Confidentiality

Every effort will be made to maintain confidentiality and guard against publicity. The authority's advice will be sought regarding this matter.

2.7 Record keeping

The school will keep details of any allegations made and how the allegation was followed up and resolved. These records will be kept until the person reaches normal retirement age, or 10 years if that is longer, including for people who leave our employment. A copy will be given to the person. The purpose of the record will be to enable accurate information to be given in response to any future request for a reference and to provide clarification for future DBS disclosures.

2.8 Outcomes

If after initial consideration between the Headteacher (or substitute) and the LADO it is clear that police or social care investigations are not necessary, the school will be guided by the LADO as to the most appropriate action.

The nature and circumstances of the allegation and evidence will determine the next course of action. If the nature of the allegation does not require formal disciplinary action, appropriate action will be instituted within 3 working days. If a disciplinary hearing is required and can be held without any further investigation, the hearing will be held within 15 working days. Subsequent procedures, as outlined in the Cheshire East Council Grievance and Disciplinary Procedures, will be followed.

If, on conclusion of the case, it is decided that the person can return to work, the governing body will consider how best to facilitate the return and provide relevant support to the staff member and consider how to best manage the person's contact with the child who made the allegation.

The parents/carers of the child will be kept fully informed of any decisions/action taken by the Governing Body.

2.9 Resignations and 'Compromise Agreement'

If an employee resigns or ceases to work for the school, any allegation must still be followed up in accordance with these procedures.

Further Advice

Further advice can be gained from

http://www.cheshireeast.gov.uk/schools/safeguarding_in_education/safeguarding_in_education.aspx

Advice specific to social care can be found at:

<https://www.cheshireeast.gov.uk/livewell/care-and-support-for-children/services-from-childrens-social-care/services-from-childrens-social-care.aspx>