

Every Child Matters Academy Trust

Allegations of Abuse Against Staff Policy

The terms Trust and School (and levels within e.g. governors and trustees) are interchangeable and apply to all schools within the Trust

Introduction

The Trust takes its responsibility of care for its pupils seriously and fully endorses the principles and practice of Every Child Matters. We recognise that any possibility that a member of staff may have hurt a pupil must be investigated thoroughly, but in a way that does not prejudice either the pupil or the member of staff. Any investigation of an allegation of abuse against a member of staff must follow the objective, professional standards and routines described here.

Initial Allegation Made to The School

Any allegation of abuse by a teacher on a pupil must be reported to the Head. Should the initial allegation first be made to any other member of staff then that member of staff must either request the person raising the allegation to report it to the Head or if that is not possible to pass details of the allegation to the CEO immediately.

Should the allegation be made against the Head then this should be brought to the attention of the CEO and Chair of Governors immediately. The Chair of Governors will then follow the same procedures as for the Head detailed below.

Should the allegation meet any of the following criteria then the Head should report the allegation to the LA Designated Officer, together with the CEO and Chair of Governors, the same day that the allegation is received:

A teacher or member of staff (including a volunteer) 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; or
- behaved with a child or children in a way that indicates s/he is unsuitable to work with children.

Initial Consideration

The Head will discuss the matter with the local authority designated officer (and keeping the CEO and Chair of Governors fully informed) and provide any further details of the allegation and the circumstances in which it was made. The Head should not investigate the allegation at this stage. The discussion will also consider whether there is evidence or information that establishes that the allegation is false or unfounded.

If the allegation is not patently false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the Head will immediately refer to children's Social Care and ask for a strategy discussion in accordance with Working Together to Safeguard Children to be convened straight away. In those circumstances the strategy discussion should also include the CEO.

If there is not cause to suspect that "significant harm" is an issue, but a criminal offence might have been committed, the local authority designated officer should immediately inform the police and convene a similar discussion to decide whether a police investigation is needed. That discussion will also involve the school and any other agencies involved with the child.

Action following initial consideration

Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the Head to deal with it. In such cases, if the nature of the allegation does not require formal disciplinary action, the Head should institute appropriate action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 5 working days.

Where further investigation is required to inform consideration of disciplinary action the Head should discuss who will undertake that with the local authority designated officer.

The investigating officer should aim to provide a report to the employer within 5 working days.

On receipt of the report of the disciplinary investigation, the Head and chair of governors should consult the local authority designated officer, and decide whether a disciplinary hearing is needed within two working days. If a hearing is needed it should be held within 5 working days.

In any case in which children's Social Care has undertaken enquiries to determine whether the child or children are in need of protection, the Head, CEO and Chair of Governors should take account of any relevant information obtained in the course of those enquiries when considering disciplinary action.

The local authority designated officer should continue to liaise with the school to monitor progress of the case and provide advice or support when required or requested.

Case subject to police investigation

If the police and/or CPS decide not to charge the individual with an offence, or decide to administer a caution, or the person is acquitted by a Court, the police should be requested, wherever possible, to pass all information they have which may be relevant to a disciplinary case to the Head within three working days of the decision. In those circumstances the Head and the local authority designated officer should proceed as described above.

In any case in which children's Social Care has undertaken enquiries to determine whether the child or children are in need of protection, any information obtained in the course of those enquiries which is relevant to a disciplinary case should also be passed to the school and the Head should request this information.

Referral to DfE

If, on conclusion of the case, the school ceases to use the person's services, or the person ceases to provide his or her services, the school should consult the local authority designated officer about whether a referral to DfE is required. If a referral is appropriate the report should be made within one month

Approved by the Resources Committee on ____12th July 2021_____



Chair _____ CEO _____

