



**TRENT
ACADEMIES
GROUP**

**Allegations of Abuse
by Staff Policy**

Document Owner:	M Beaumont
Review Date:	January 2019

1. Policy Statement

2. The Trent Academies Group is committed to providing the highest level of care for both its pupils and its staff and will deal with any allegations of abuse against a member of staff, or volunteer thoroughly and efficiently. The Group will protect the child and ensure support for the person who is the subject of the allegation.
3. All staff, students and parents or carers should be aware of the procedure for the investigation of allegations of abuse in order that all complaints are dealt with consistently, and as efficiently as possible.
4. All allegations will be taken seriously and investigated immediately.
5. This policy applies to all volunteers, students, visitors, governors, parents or carers and staff working for The Group.

2. Scope

1. This policy will be used alongside the Staff Disciplinary Policy and Procedure where allegations have been made that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity.
2. It will be used in respect of all cases in which it is alleged that the member of staff 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 that they would pose a risk of harm if they work regularly or closely with children
3. As with other conduct issues the behaviour of members of staff outside of work may impact on their role within The Trent Academies Group. Therefore if concerns are brought to the Group's attention about a member of staff's behaviour in regard to their own children or any other child/children outside of The Trent Academies Group's schools/academies, consideration will be given to any implications for children with whom the employee has contact with at work.

3 Implementing and reviewing the policy

1. This Policy will be implemented in accordance with the guidance and principles set out in:
 - Keeping children safe in education: information for all school and college staff
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/354151/Keeping_children_safe_in_education_Information_for_staff.pdf
 - Keeping children safe in education. Statutory guidance for schools and colleges April 2014
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/372753/Keeping_children_safe_in_education.pdf
 - The Nottinghamshire and Nottingham City Safeguarding Children Board Child Protection Procedures. 'Interagency Safeguarding Children Procedures of the Nottinghamshire Safeguarding Children Board (NSCB) and the Nottingham City Safeguarding Children Board (NCSCB)' November 2014

<http://www.nottinghamshire.gov.uk/caring/protecting-and-safeguarding/nscb/informationprofessionals/procedures-practice-guidance/>

- Dealing with allegations of abuse against teachers and other staff Statutory guidance for local authorities, head teachers, school staff, governing bodies and proprietors of independent schools
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/289327/Dealingwithallegationsofabuseagainstteachersandotherstaff.pdf
2. Any member of staff who witnesses abusive behaviour by another employee or receives such a complaint from a parent, child, governor, colleague or other person has a duty to respond appropriately and in line with these procedures.
 3. It is the duty of all staff to accept and understand their responsibilities and to follow the procedure for the investigation of allegations of abuse outlined in this policy. This will ensure that all allegations of abuse are dealt with as quickly and efficiently as possible to minimise the risk to the child, the impact on the child's academic progress and ensure a fair and thorough investigation for all parties.
 4. The implementation of this policy will be monitored and remain under review by the governing body.

4. Procedure

1. Where a person has reason to suspect that another member of staff may have abused a child in the school/academy or elsewhere they should immediately inform the designated Child Protection Officer (CPO)
2. Where a person has reported to them that another member of staff has behaved in a way that may have harmed a young person, potentially committed a criminal offence against a young person or behaved in a way in which indicates s/he is unsuitable to work with children, the person receiving the allegation must make a written record of the allegation using the informant's words including the date, time and place where the alleged incident took place, what was said and if anyone else was present. This record should be signed by the informant and the person receiving the allegation and be immediately passed to the CPO.
3. Allegations made against the Headteacher should also be reported to the Chair of Governors.
4. Although a member of staff receiving an allegation may worry they have misunderstood the situation they must remember that the welfare of the child is paramount and must report concerns immediately.
5. The Group's Whistleblowing Policy enables staff to raise concerns or allegations against a colleague in confidence and for a sensitive enquiry to take place.
6. A child reporting to a member of staff that they have been abused by another member of school/academy staff must be listened to. Whilst it will be difficult for a member of staff to believe that a colleague may have behaved in the manner alleged, they must ensure that the following is taken into account when dealing with any allegation, particularly if made directly by a child:
 - The child should be listened to but not interviewed or asked to repeat their account.

- Avoid asking direct questions, particularly leading questions wherever possible.
 - The child should not be interrupted when recalling significant events.
 - All information should be noted carefully. As far as possible details such as timing, setting, who was present and what was said should be recorded in the child's own words and be as near verbatim as possible.
 - The listener must take care not to make assumptions about what the child is saying or to make interpretations.
 - The listener must, on no account, offer suggestions or alternative explanations for the child's concerns.
 - A written record of the allegations should be signed and dated by the person who received them as soon as possible.
 - All subsequent actions must be recorded in writing.
7. No promises of confidentiality should be made to pupils who make allegations. Instead, the child should be encouraged to agree and be reassured that the matter must be taken further for their own safety. Whilst acknowledging the need to create an environment conducive to speaking freely, it should be made clear to the child by the member of staff that in all cases they have a duty to pass on what the child has told them to ensure their protection.
 8. The child should be assured that the matter will only be disclosed to those people who need to know about it. Support may need to be offered by the school, LA or the appropriate agency.

5. Initial Considerations

1. Any allegations in relation to potential abuse of children should immediately be referred to the designated Child Protection Officer. Where the CPO determines that the allegations meet the criteria they will immediately contact the Local Authority Designated Officer (LADO) and provide them with all relevant information. The CPO will inform The Deputy Headteacher (Pupil Wellbeing) and the HR Director of the allegations.
2. The LADO and the CPO will consider the nature, content and context of the allegation and agree a course of action. The LADO may ask for further relevant information to be provided or obtained such as previous history, whether the child or their family have made similar allegations, and the individual's current contact with children.

6. Outcomes of initial considerations

1. The initial sharing of information and evaluation may lead to a decision that no further action by external agencies or The Trent Academies Group is to be taken in regard to the individual facing the allegation. The decision and reasons for this will be recorded. The CPO will agree with the LADO what information should be put in writing to the employee and what if any action is appropriate to take in respect of the person making the allegation. After consulting the LADO the CPO and /or the Deputy Headteacher (Pupil Wellbeing) supported by the HR Director will inform the employee about the allegation and provide them with as much information as possible at the time.
2. The initial sharing of information and evaluation may lead to a decision that no further action by external agencies, but the CPO and /or the Deputy Headteacher (Pupil Wellbeing) determines further action is required and will refer to the Staff Disciplinary Policy and Procedure.

3. Where the initial sharing of information leads the LADO to determine that a strategy discussion is needed, or police or local authority's social care services need to be involved, the LADO will coordinate the appropriate arrangements and will inform the CPO. The CPO will agree with the LADO, police or local authority's social care services what information should be put in writing to the employee, bearing in mind the employees subject access rights under the Data Protection Act. Information may be withheld from the employee only if disclosure is likely to prejudice a criminal investigation. The strategy discussion will determine what action will be taken and by whom. The point at which The Trent Academies Group can continue with its own disciplinary procedures will be determined. No further investigation should be carried out until agreed through this process.

7. Suspension

1. Suspension will not be an automatic response when an allegation is reported and alternative arrangements will be considered. The risks of the member of staff remaining within a Trent Academies Group school/academy during any process of investigation will be carefully evaluated. In cases where there is cause to suspect that children are at risk of significant harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal the employee will usually be suspended.
2. The CPO and /or the Deputy Headteacher (Pupil Wellbeing) will consider the advice of the local authority children's social care services or the police with regard to suspension, but will make their own informed decision, in discussion with the HR Director, with regard to recommending to the Headteacher the suspension of any member of staff. Suspension will be managed in line with the Staff Disciplinary Procedure and may only be carried out by a Headteacher
3. During suspension the employee will be kept informed of the progress of the case and any work-related issues. A nominated person from the Group will ensure that contact is maintained.

8. Support for staff

1. The Trent Academies Group owes a duty of care to all its employees and will make its best efforts to minimise the stress of any allegations made against an employee and the impact of the disciplinary process.
2. In most cases the employee who is the subject of the investigation will be informed as soon as possible after the allegation has been made. The employee will then be advised on what will happen next. If the police or social services are to be involved, they will be contacted before the employee and will advise what information may be disclosed to the employee under investigation.
3. If the employee is a member of a union or any other professional association, the employee should be advised to contact that body at the outset of the investigation.
4. If the employee feels it is beneficial a referral to the occupational health provider will be arranged. In addition access to the appropriate counselling service can be offered.
5. The employee will be kept informed of the likely course of action as the case progresses unless there is an objection by the local authority social care services or the police.

9. Support for pupils, parents/carers

1. In most circumstances, parents and carers will be notified if their child makes or is involved in an allegation against staff. However, if the police or social services are to be involved, they will be contacted first and will advise the Group as to what information may or may not be disclosed to the parents.
2. Parents and carers will be made aware, as appropriate, of any progress in the investigation, and the outcome will be explained to them.
3. If social services and the police are involved, depending on the severity of the case, the Group may seek advice on what type of additional support the child may need.

10. Confidentiality

1. The provisions in the Staff Disciplinary Policy and Procedure regarding confidentiality apply to cases where allegations of abuse are made. The Trent Academies Group will make every effort to maintain confidentiality and guard against unwanted publicity. During the process of managing these types of allegation The Trent Academies Group will only release information to the wider community for the purposes of reducing speculation, and within the reporting restrictions contained within the Education Act 2011. (2011c.21 Part3 Reporting restrictions Section13)

11. Investigation

1. The Group will cooperate with any investigative agencies carrying out an external investigation into the allegations. The Group's own internal investigations may need to be delayed until the external investigation is complete.
2. Investigations under the Staff Disciplinary Policy and Procedure will not commence until the LADO and any other external agencies involved in dealing with the allegations have agreed that the Group can proceed. The provisions in the Staff Disciplinary Policy and Procedure regarding investigations apply where allegations of abuse are made.
3. Careful consideration will be given as to who is appointed as the Investigating Officer. It may be appropriate for this to be from another of the Trent Academy Groups schools/academies.
4. Those undertaking investigations into allegations of abuse should be alert to any sign or pattern which suggests that the abuse is more widespread or organised than it appears at first sight, or that it involves other perpetrators or institutions. It is important not to assume that initial signs will necessarily be related directly to abuse, and to consider occasions where boundaries have been blurred, inappropriate behaviour has taken place, and matters such as fraud, deception or pornography have been involved.
5. The Investigating Officer will avoid interviewing pupils unnecessarily. Information will be gathered from the local authority social services and the police where available and accessible.
6. The Investigating Officer or any other person at The Trent Academies Group will not take photographs of pupils to support allegations of abuse. In cases where the Investigating Officer determines it appropriate to record injuries to a pupil they will use the appropriate procedure, eg body mapping, or refer to the LADO, the local authority social services or the police for advice. Photographs and other information provided by external agencies may be used as a part of the investigation process if appropriate and authorised by the relevant agency.

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

12. Record-keeping

1. Detailed records of all allegations made, investigations and outcomes will be kept in a sealed envelope on the personal file of the person who has been under investigation. This person should be given a copy of the same information.
2. Details of any allegation made by a pupil will be kept in the confidential section of their record.
3. The record will be kept for at least until the person reaches normal retirement age or for 10 years, whichever the longer from the date of the allegation regardless of whether the person leaves the employment of the Trent Academies Group.

13. Malicious allegations

1. The Trent Academies Group considers the making of malicious allegations to be unacceptable. Any allegations found to not have been made in good faith by a pupil, parent, other employee or any other person may result in action being taken.
2. Any allegation that is found to be malicious will not be included on the personal file of the employee that has been accused.