

Hatherley Infant School



Allegation Management Policy

'Learn and Grow Together'

Agreed: March 2016
Review Date: March 2019

We want to ensure your needs are met. If you would like this document in any other format, please contact us:
admin@hatherley-inf.gloucs.sch.uk

Rationale

The Hatherley Infant School Safeguarding Policy defines safeguarding as when “all agencies take all reasonable measures to ensure that the risks of harm to children’s welfare are minimised. Where there are concerns, all agencies take action to address those concerns, working to agreed local policies and procedures in full partnership with other local agencies.”

Therefore we recognise it is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in an education setting is dealt with fairly, quickly, and consistently, in a way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation.

This procedure is informed by 'Working Together to Safeguard Children' (2015), the Gloucestershire Safeguarding Children’s Board (GSCB) Procedures (section 6). In addition the Education Act 2002 (Section 175) and Section 11 of the Children Act (2004) place a statutory responsibility on Local Authorities (LAs) and governing bodies to ensure that schools/services have procedures in place for safeguarding and promoting the welfare of children.

New guidance issued by the Department for Education (DfE) in 2012 (Dealing with Allegations of Abuse Against Teachers and Other staff) also introduced a new outcome category of False Allegation.

In order to manage allegations against child care professionals, every Local Authority appoints a Local Authority Designated Officer (LADO). The LADO should be alerted to all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed, a child
 - possibly committed a criminal offence against children, or related to a child, or
 - behaved towards a child or children in a way that indicates s/he may pose a risk to children.
- (Working Together 2015)

In this context, the term "professional" includes paid employees, volunteers, casual/agency staff and self-employed workers who will have contact with children as a part of their role. The LADO ensures that all allegations or concerns about professionals or adults working or volunteering with children are recorded appropriately, monitored and progressed in a timely and confidential way. The LADO is involved from the initial phase of the allegation through to the conclusion of the case. The LADO provides advice and guidance to employers and voluntary organisations, liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

In Gloucestershire we have two LADOs: **Jane Bee** and **Kath Whittaker**, they are supported by Rebecca Muncaster, the Allegations Management Co-Ordinator. They can be contacted on **01452 426 994** or **01452 425 017** and Rebecca can be contacted on **01452 426 320**.

Criteria

In accordance with the statutory Department of Education guidance '*Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children*' (March 2010) where an allegation is made against anyone who works with children at Hatherley Infant 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:

Responding to allegation or complaint

The person who receives information regarding the allegation will not question the child or investigate the matter any further. They will:

- treat the matter seriously, avoid asking leading questions, communicate with the child in a manner appropriate to the child's understanding and communication style
- 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.
- The record must be signed and dated
- The person receiving the information will report the matter immediately to the school's head teacher, or assistant head teacher or, where the allegation involves either of these, to the Chair of Governors.

The person to whom the matter is reported will become the *Senior Designated Manager*, until the allegation is resolved

The Senior Designated Manager will inform the Governing Body of the allegation.

Initial action by Senior Designated Manager

The Senior Designated Manager will **not** investigate the matter by interviewing the accused, the child making the allegation or any of the potential witnesses.

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

If the allegation meets any of the criteria outlined on Page One, the Senior Designated Manager will report it to the Local Authority Designated Officer (LADO) within one working day. Referral to the LADO will **not** be delayed in order to gather any further information.

The Senior Designated Manager 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.

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.

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/advise the accused to seek support from their trade union or other relevant professional association.

Confidentiality

Every effort will be made to maintain confidentiality and guard against publicity.

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 CRB disclosures.

Outcomes

If after initial consideration between the Senior Designated Manager 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. 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.

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.

A summary of the allegations management procedures is provided in Appendix 1

Summary of Allegations Management Procedures

Concern about a member of staff or a volunteer working with children

If a professional receives an allegation or has a concern about the behaviour of a member of staff working or volunteering with children and that concern could amount to:

- a. a member of staff or volunteer has behaved in a way that has harmed a child, or may have harmed a child; or
- b. possibly committed a criminal offence against or related to a child; or
- c. behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

Then that professional should:-



Report their concerns

Report the concern to the most senior person not implicated in the allegation.



Completion of written record

Complete a written record of the nature and circumstances surrounding the concern, including any previous concerns help. Include where the concern came from and brief details only.



Seek advice before proceeding – Initial Discussion

Always contact the Local Authority Designated Officer (LADO) for advice prior to investigating the allegation. This is because it might meet the criminal threshold and so your investigation could interfere with a Police or Social Care investigation.

Local Authority Designated Officer (LADO) – Tel: 01452 426994

The LADO will offer advice on any immediate action required and will assist with employment and safeguarding issues.



Allegations Management Process

If, after your Initial Discussion with the LADO, it is agreed that the allegation meets the criteria, a multi-agency meeting will be convened and you will be invited. This might result in a criminal investigation, a Social Care investigation and/or an investigation to inform whether disciplinary action is required.

If it is agreed that the allegation does not meet the criteria, the LADO will record the Initial Discussion and send it to you for your records. Any further action will be taken within your setting if necessary.



Further action

Further meetings might be required and these will be convened by the LADO, with your input at all times. Further information on the Allegations Management process can be found in the Government Document: Working Together to Safeguard Children 2013 and the South West Procedures.

<http://www.online-procedures.co.uk/swcpp/procedures/allegations-against-staff/allegation-suspicion-arisen/lado-informed/>

