

# Oaks Park High School

<b>Title of Policy:</b>	<b>Allegations of Abuse against Staff</b>
<b>Person responsible:</b>	<b>J Hamill</b>
<b>Date for review:</b>	<b>2017</b>

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Oaks Park High School is committed to providing the highest level of care for both students and staff. It is important that an allegations of abuse against any member of staff or volunteer is dealt with thoroughly and efficiently. This policy is in line with statutory guidance from the DfE and is designed to ensure that all staff, students and parents/carers are aware of the procedure for investigations of allegations of abuse.

Any allegation against staff should immediately be reported to the Headteacher (or to the Chair of Governors where the Headteacher is the subject of concern). Allegations will be taken seriously and investigated immediately.

## **Purpose**

This policy will be used alongside the school's Child Protection Policy and the Complaints Procedure and used where it is suspected or alleged that a member of staff or volunteer at the school has:

- behaved in such a way that may have harmed a child or intended to harm a child;
- acted outside of the law in relation to dealing with a child
- behaved in any way that suggest that they may be unsuitable to work with children.

It is important that allegations against staff are dealt with as quickly and efficiently as possible to ensure that:

- the risk to the child and the impact on the child's progress is minimised;
- a fair and thorough investigation is carried out for all concerned.

## **Procedure**

The procedure for dealing with allegations against staff depends on the circumstances surrounding the allegation.

All concerns around poor practice or possible child abuse by staff should be reported to the Headteacher (complaints about the Headteacher should be reported to the Chair of Governors), who will then contact the Local Authority Designated Officer (LADO). A discussion will then take place to decide on the best course of action. The school will share information with the LADO on the allegation itself, the child concerned and the person against whom the allegation has been made and decide whether a police investigation or strategy discussion is required. Representatives from other agencies such as health, social care, the GP or police may be invited into the discussion.

## **Supporting Those Involved**

The parents/carers of the child who has made the allegation against the member of staff will be notified. If the police or social services are to be involved, they will be contacted first and will advise on what information may or may not be disclosed to parents/carers. Parents/carers will be made aware of any progress in the investigation. Where there is no criminal prosecution and a disciplinary hearing takes place, the outcome will be explained to parents/carers. If social services or the police are involved, they will advise the school on what type of additional support the child may need.

The school's Whistleblowing Policy enables staff to raise concerns or allegations against colleagues in confidence. An enquiry will then take place.

## **The Employee**

Oaks Park High School will ensure that the stress of any allegation against a member of staff is kept to a minimum. The person involved will be informed of the allegation immediately after the Headteacher has spoken to the Chair of Governors and will be advised on the next course of action. If the police or social services are involved, they will be contacted before the employee and will advise on what information should be disclosed to the person under investigation.

A named representative will keep the employee advised on the progress of the case and any other work-related issues. If that person is suspended, they will be kept informed of any developments. If the employee is the member of a union or any other professional body, they should be advised to contact that body at the beginning of the investigation. The school should also consider whether the employee will need additional support, and if so, where that support should come from.

It is the responsibility of the school to ensure and maintain the privacy of all parties concerned. A breach of confidentiality will be taken seriously and may warrant its own investigation. It is a criminal offence to publish information that could lead to the identification of a person who is the subject of an allegation before they are summonsed or charged.

## **Suspension**

The school will not suspend a member of staff without serious consideration of the circumstances surrounding the allegation. Depending on the nature of the case, it may be possible to make alternative arrangements which would allow the member of staff to continue working, but is removed from the person making the allegation. The Headteacher or Chair of Governors has the power to suspend an employee once they have received appropriate advice from the police and/or social services. The employee should receive confirmation of the suspension at least one working day before this comes into effect and be made aware of the reason for the suspension.

## **Resignation**

If an employee resigns when the allegation is made against them or during an investigation, the investigation will still continue until an outcome has been reached. The investigation will continue with or without the person's cooperation; however they will be given every opportunity to respond to the allegation.

## **Record Keeping**

Details records surrounding the allegation, investigation and outcome should be kept in the personal file of the member of staff concerned. The member of staff should receive a copy of the same information. If the allegation did not result in criminal charges, records should show exactly what happened, the action taken during and after investigation and how the outcome was reached.

The record should be kept for 10 years or at normal retirement age, whichever comes first. Allegations that are proven to be malicious or unfounded will not be kept on employment records or used in employee references. Details of any allegation made by a student will be kept in the confidential section of their record.

## **Outcome**

If the investigation results in the dismissal or resignation of the member of staff and they have been charged with a criminal offence, the police and/or social services will advise the school on referring the person concerned to the Independent Safeguarding Authority. If it is decided that the employee may return to school following a period of suspension, the school should ensure that the transition is as smooth as possible. If the child who made the allegation is still at the school, the school should consider how to manage the contact between the employee and the child.

## **False Allegations**

In cases where an allegation is proven to be false, the Headteacher and Chair of Governors may involve social services to determine whether the child is in need of special care or whether they are being abused elsewhere. If an allegation is found to be intentionally malicious or factitious, the Headteacher will decide on the course of action for the student making the allegation. The school has the power to suspend or expel students who make false claims, or refer the case to the police if a criminal offence has been committed. If the claim has been made by a person who is not a student at the school, information will be handed over to the police for further action.