



CARLTON
ACADEMY TRUST

**Carlton Academy Trust
Policy for Dealing with Allegations of
Abuse Against Staff,**

Approved on behalf of Trustees:

R Butterfield

Date:

September 2021

Next Review Date:

September 2022



Policy Scope and Guidelines

This policy applies to all cases in which it is alleged that a 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 children in a way that indicates they pose a risk of harm to children

It applies where the alleged abuse took place in or out of school. Where they relate to a former member of staff, they will immediately be referred to the police.

Definitions

For the purposes of clarity where this policy refers to 'staff' this also encompasses contractors, volunteers, Trustees, and governors.

Procedures

When staff are made aware of an allegation, they must immediately report this to the Head of School and school Designated Safeguarding Lead (DSL). They in turn must immediately report this to the Trust Director of Safeguarding, who will report it to the Local Authority Designated Officer (LADO), should it meet the threshold requirements for reporting.

Where relevant, the LADO will advise next steps including whether to involve the police or children's social services. It may sometimes be necessary to involve the police before consulting the LADO, such as when the member of staff is deemed to be an immediate risk to children or there is possible evidence of a criminal offence. In such cases, the LADO will be notified as soon as practicably possible after the police.

The member of staff should be informed of the allegations as soon as reasonably possible, following advice from the LADO and/or police.

Disciplinary Proceedings

The school/Trust will appoint an investigating Officer, who may be independent of the school where appropriate. Their findings will be shared with the Trust Director of Safeguarding and LADO, who will decide whether a hearing is needed.

Depending on advice from the LADO and police, the school may run a disciplinary process in parallel to a criminal investigation or suspend the process until the criminal processes have been completed. Outcomes of criminal proceedings and advice from the LADO will also be used to guide and inform subsequent disciplinary action within the school/Trust.

Disciplinary hearings should be held within 15 working days of receipt of findings from the Investigating Officer and will have one of the following five outcomes:

- **Substantiated:** sufficient evidence to prove the allegation
- **Malicious:** sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False:** sufficient evidence to disprove the allegation
- **Unsubstantiated:** insufficient evidence to either prove or disprove the allegation
- **Unfounded:** no evidence to support the allegation/s.



Suspension of Staff

Suspension should only be considered in cases where there is cause to suspect a child or children are at risk of significant harm, the allegation warrants investigation by the police, or is so serious that it may be grounds for dismissal.

Suspension should only be made after careful consideration, as although a neutral action, they can make it difficult for a member of staff to return to work following an investigation. Alternatives such as redeployment to another role or school should be considered. Where suspensions are required, the rationale and reasons should be formally recorded.

Suspended staff will be provided with appropriate support, including appointing a named school/Trust representative to keep them informed of the progress of the case and consider other support needs they may have.

Where a member of staff returns to work following an investigation, due consideration will be given to how best to facilitate this considering both the needs of the child and member of staff.

Referral to Disclosure and Barring Service (DBS) Teacher Regulation Agency (TRA)

When a member of staff is dismissed or the school/Trust ceases to use their services, the Director of Safeguarding will consider whether it is appropriate to make a referral to the DBS for inclusion on their barred list. If they are a teacher, consideration will also be made to referral to the TRA to consider a prohibition order.

Where a member of staff resigns or leaves under a Compromise/Settlement agreement, this will not override the statutory duty to make a referral to the police, TRA or DBS.

Confidentiality and Record Keeping

It is important that a clear and comprehensive record of any allegation is made, which includes full details of the allegations, investigation, actions taken and decisions. A record should be kept on the member of staff's HR records, enabling the sharing of accurate information with a future employer or DBS. Records must be retained for ten years or until normal retirement age. Confidentiality should be maintained throughout, subject to sharing with relevant agencies.

Malicious Allegations

Malicious allegations may be dealt with through school procedures and/or referred to the police, according to individual circumstances.

Supporting Students and Parents/Carers

Parents/carers should be informed of the allegation as soon as reasonably possible, subject to advice from police, LADO, and local authority social care. They should also be kept informed of the progress and outcome of criminal prosecutions or disciplinary proceedings.

Any child making an allegation will be given support from the school from pastoral or senior staff with no link to the investigation, supplemented by other support agencies where required.

