



**CARLTON**  
ACADEMY TRUST

## **Carlton Academy Trust Allegations of Abuse Against Staff**

**Approved on behalf of Trustees:**

**Roger Butterfield**

**Date:**

**August 2023**

**Next Review Date:**

**August 2024**



## Glossary

<b>CSC:</b>	Local authority Childrens' Social Care
<b>DBS:</b>	Disclosure and Barring Service
<b>DOS:</b>	Director of Safeguarding
<b>DSL:</b>	Designated Safeguarding Lead
<b>HOS:</b>	Head of School
<b>IO:</b>	Investigating Officer
<b>LADO:</b>	Local Authority Designated Officer (for safeguarding)
<b>Parents:</b>	Umbrella term also including carers
<b>Staff:</b>	Umbrella term also including agency workers, self-employed, contractors, volunteers, trustees, members, and governors
<b>TRA:</b>	Teaching Regulation Agency

## Scope

This policy applies to circumstances when a member of staff is alleged to have:

- Behaved in a way that has harmed a child or may have harmed a child.
- Committed a criminal offence against or related to a child.
- Behaved in a way that indicates they pose a risk of harm to children.
- Behaved in a way that indicates they may not be suitable to work with children.

Allegations of abuse may have taken place in or out of school (including online). Where allegations relate to a former member of staff, they will be immediately referred to the police.



## Section One: Dealing with Allegations

### Referring Allegations

When staff are made aware of an allegation, they must immediately report this to the HOS and DSL. The HOS and DSL must then immediately report this to the DOS, who will inform the LADO when it meets the threshold for reporting.

When the reporting threshold is met the LADO will advise next steps, which may include involvement of the police or CSC.

It may be necessary to contact the police before consulting the LADO when the staff member is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the LADO will be notified as soon as practicably possible following notification to the police.

The accused person should be informed of the allegations without delay, following advice from the LADO and/or police.

### Managing Allegations

The school/trust will appoint an IO, who may be independent of the school where appropriate. Their findings will be shared with the DOS and LADO, who will decide whether a formal hearing is required.

Where relevant, the school/trust may run a disciplinary process in parallel to a criminal investigation or suspend the process until the criminal processes have been completed. This will be decided with guidance from the police and LADO.

When disciplinary procedures are delayed, the outcomes of any criminal proceedings will help inform subsequent disciplinary action within the school/trust.

Disciplinary hearings should be held within 15 working days of the completion of investigation findings, and will have one of five outcomes:

- **Substantiated:** Sufficient evidence to prove the allegation.
- **False:** Sufficient evidence to disprove the allegation.
- **Unsubstantiated:** Insufficient evidence to prove or disprove the allegation
- **Unfounded:** No evidence to support the allegation.
- **Malicious:** Sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.

When an allegation is made against a supply teacher, contractor or volunteer, the school/trust may not be involved in disciplinary procedures but will co-operate with the investigation.

For individuals or organisations using school premises for running activities for children we will ensure thorough safeguarding checks are in place and should we become aware of any allegations the DSL will inform the LADO.



## **Suspension of Staff**

Suspension should only be considered when:

- There is cause to suspect child/children are at risk of significant harm.
- The allegation warrants investigation by the police
- The allegation is so serious that it may be grounds for dismissal.

Suspension should only be made after careful consideration. Although legally a neutral action, suspension can make it difficult for a staff member to return to work following an investigation. Therefore, alternatives such as redeployment to another role or school should be considered.

Suspended staff will be provided with a named school/trust representative to keep them informed of case progress and help provide any support they may require.

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

All suspensions must be formally recorded with reasons and actions.

## **DBS and TRA Referrals**

When a member of staff is dismissed or the school/trust ceases to use their services, the DOS will consider whether it is appropriate to make a referral to the DBS for inclusion on the 'Barred List'. If they are a teacher, a referral to the TRA for a possible Prohibition Order will be considered.

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

## **Confidentiality and Record Keeping**

A comprehensive record of all allegations must be kept. This must include full details of:

- The allegation.
- Investigation.
- Decisions and actions.

Details should be kept in HR records, enabling the accurate sharing of information with future employers or DBS. Records must be retained for at least ten years or until normal retirement age is reached. Confidentiality must be maintained, subject to sharing with relevant agencies.

## **Malicious Allegations**

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

## **Supporting Parents**

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



## **Supporting Students**

Any child making an allegation will be given appropriate support from pastoral or senior staff with no link to the investigation. Other agencies may be used where relevant.

## **Section Two: Low-Level Concerns and Administration**

### **Low Level Concerns**

These are concerns about staff behaviour which:

- Do not meet the allegations threshold or not considered serious enough for referral to the LADO.
- Is inconsistent with the staff code of conduct, including conduct outside of work (including online)

Concerns may arise through:

- Suspicions.
- Complaints.
- Disclosures made by a child, parent, or other adult within or outside the school.
- Pre-employment vetting checks.

Common examples of low-level concerns include:

- Being overly friendly with children.
- Having favourites.
- Taking photographs of children.
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door.
- Humiliating a child.

It is important to create a culture of openness, transparency, and trust to encourage staff and students to share any concerns they have. This is facilitated by:

- Ensuring staff are in no doubt what appropriate behaviour is and are confident in distinguishing expected from concerning, problematic or inappropriate behaviour.
- Encouraging staff and students to share any concerns.
- Encouraging staff to self-refer.
- Addressing unprofessional behaviour at an early stage and supporting them to make appropriate corrections.
- Dealing with allegations in a responsive, sensitive, and proportionate manner.

### **Record Keeping**

Full details of all low-level concerns must be recorded on CPOMS Staffsafe, including:

- Concerns raised.
- How the school was alerted to concerns
- Actions taken and rationale.

Records will be:

- Kept confidential and held securely in accordance with Data Protection Act (2018) and UK General Data Protection Regulation.
- Regularly reviewed by the DOS so that potential patterns can be identified. Where identified, the HOS and DOS will decide an appropriate course of action.

- Retained until the member of staff leaves the Trust.

When a low-level concern relates to an agency worker or contractor, we will notify their employer so any patterns of inappropriate behaviour can be identified.

### **References**

Low level concerns are not included in references. Only substantiated allegations that meet the harm threshold can be disclosed.

