

THE EDUCATION VILLAGE ACADEMY TRUST



**MANAGING ALLEGATIONS AGAINST
STAFF AND VOLUNTEERS PROCEDURE**

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V2.1	15.10.19	J Amerigo	Alison Sinclair	Inclusion of Legal Framework, revisions around responsibility for conducting suspension, reference to DfE guidance, supporting those involved section, informing staff of police involvement		
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V5.0	08.10.21	M Roe	W Turpin	Final version following approval	BoT	10.09.21
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Monitoring and review

This policy is reviewed **annually** by the Policy Owner: **M. Roe**

The scheduled review date for this policy is September 2022.

Values and Ethos

Our values and ethos are inclusive and child centred. Our Trust is founded on the principles of inclusivity, diversity and fairness, and they are fundamental to our delivery of exceptional learning experiences.

EVAT stands for:

- **E**xcellence and high standards
 - a can-do culture and no-excuses ethos
- **V**alues driven with a deep sense of purpose
 - putting children and young people first
 - behaving ethically
- **A**mbitious and aspiration for all
 - irrespective of background or barriers – being truly inclusive
- **T**eamwork
 - we do more, better and faster, together

We are a village. We collaborate, with our learners, their families and our communities, to provide exceptional education so that all the children and young people we serve achieve the best possible outcomes.

Our Ethos is to:

- Create a nurturing and friendly atmosphere and provide an environment where everyone feels valued for who they are
- Bring out the best in every child and young person and meet the full range of their individual needs
- Provide different and unique experiences, challenges and activities
- Show tolerance and respect for each other
- Prepare our children and young people for lifelong learning
- Improve the life chances of every child and young person we serve.

This policy, and its associated procedures and protocols, are based on these key principles.

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N.B. Where reference is made to an 'Academy' or a 'School' the intention is that the policy is universal and applies to both. Any reference to the Principal may also include another member of ELT or SLT.

Acronyms used in this procedure

CSC – Children's Social Services

DBS – Disclosure and Barring Service

DSL – Designated Safeguarding Lead

DSP – Darlington Safeguarding Partnership

DSMA – Designated Staff Member for Managing Allegations against staff

EVAT – Education Village Academy Trust

LA – Local Authority

LADO – Local Authority Designated Officer

TRA – Teaching Regulation Agency

Other EVAT policies and procedures that relate to this policy and which may need to be considered in conjunction include the following:

- Safeguarding and Child Protection Policy
- Staff Code of Conduct
- Disciplinary policy

EVAT staff are expected to follow this procedure. Any serious breaches will be dealt with under the Trust's Disciplinary Policy.

PART 1 - Managing Allegations against Staff and Volunteers Procedure

1. Legal Framework

This policy has due regard to legislation and statutory guidance, including, but not limited to, the following:

- The Children Act 1989
- The Education Act 2002
- The Education (Independent Academy Standards) Regulations 2015
- The Children Act 2004
- Data Protection Act 2018
- UK General Data Protection Regulation (UK GDPR)
- DfE (as amended) 'Keeping children safe in education' 2021
- DfE (2018) 'Working Together to Safeguard Children'

2. Nature of allegations to which these procedures apply

These procedures should be used in respect of all cases in connection with the person's employment or voluntary activity where it is alleged that a person **who works with children** has:

- behaved in a way that has **harmed**¹ a child, or may have harmed a child;
- possibly committed a criminal offence **against or related to a child**, or
- Behaved towards a child or children in a way that indicates he or she may **pose a risk of harm** to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children, including in relation to behaviour that may have happened outside of school that might make the individual unsuitable to work with children

Where allegations of the above are referred to LADO/children's services, subsequent action will be in accordance with the local safeguarding arrangements.

3. Low Level Concerns

A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the Trust may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

¹ **The Children Act 1989** defines 'harm' as "ill-treatment or the impairment of health or development". 'Development' means physical, intellectual, emotional, social or behavioural development; 'health' means physical or mental health; and 'ill-treatment' includes sexual abuse and forms of ill-treatment which are not physical. As a result of the Adoption and Children Act 2002, the definition of harm also includes "impairment suffered by hearing or seeing the ill-treatment of another".

Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone or other device
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating or offensive language.

Low-level concerns will be dealt with in accordance with Part Four of Keeping Children Safe in Education.

Where concerns are raised, the Principal will collect as much evidence as possible, which will usually involve speaking:

- directly to the person who raised the concern, unless it has been raised anonymously
- to the individual involved and any relevant witnesses.

The information collected will help to categorise the type of alleged behaviour and determine whether any further action needs to be taken.

All low-level concerns will be recorded in writing. The record will include details of the concern, the context in which the concern arose, and any action taken. The name of the individual sharing their concern(s) will also usually be noted. If the individual wishes to remain anonymous, then that wish should be respected as far as reasonably possible.

Records of low-level concerns raised will be retained until the person's normal retirement age or 10 years from the date of the allegation, whichever is longer – in line with the Trust's document retention schedule.

4. Historical/complex abuse

When allegations of historical and/or complex abuse are made and where the case involves an allegation against person(s) who work with children this procedure should also be followed.

5. Urgency

It is in everyone's interest to resolve cases as quickly as possible, consistent with a fair and thorough investigation. All allegations must be investigated as a priority to avoid any delay. The time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation.

6. Initial considerations and Local Authority Designated Officer (LADO) Consultation (Please refer to Flowchart 1 in the Annex)

If there is an immediate risk, appropriate actions may need to be taken e.g. urgent involvement of police, removal of member of staff, securing evidence or urgent medical attention.

The individual raising the allegation / sharing the disclosure should make a written record of the incident. This should include any known times, dates, location(s) of incident(s), any person(s) present, what was said etc. In the event of a disclosure, the child's own words should be used where possible.

The individual raising the allegation should sign and date the record and immediately inform the Designated Staff Member for Managing Allegations against staff (the DSMA) who will act as the Case Manager.

EVAT's Designated Staff Member for Managing Allegations Against Staff (DSMA) is Marie Roe, Chief Operating Officer.

The LADO should be consulted immediately (refer to p.13 of this document for contact details) on all allegations that appear to meet the criteria detailed in paragraph 2 above. If it is not possible to consult the LADO immediately, then the consultation should take place as soon as is practicable after the allegation is made and, in any case, within **one working day**. This consultation should take place before any investigations commence. In less serious cases, police and Children's Social Care (CSC) may not need to be involved but the LADO will provide an objective view.

7. Referral to the LADO and initial actions

Where appropriate a referral should be sent to the LADO using the LADO Referral Form, <https://www.darlington-safeguarding-partnership.co.uk/professionals/managing-allegations/> giving as much detail as possible. Completed LADO Referral Forms should be emailed using secure mail (e.g. gcsx, pnn, cjsm, nhs.net, etc.) to DSP@darlington.gov.uk

If you do not have secure email please contact Darlington Safeguarding Partnership on 01325 406459

The Chief Executive Officer, in liaison with the DSMA, must consider carefully whether the circumstances of the case warrant the person being suspended from contact with children in the workplace until the allegation is resolved. Suspension should not be the default position; an individual should only be suspended if there is no reasonable alternative.

Suspension is not an automatic response when an allegation is reported. If the Academy is concerned about the welfare of other children in the community or the staff member's family, those concerns will be reported to the LADO or police, but suspension is highly unlikely to be justified based on such concerns alone.

Suspension will only be considered in a case where there is cause to suspect a child or other children at the Trust is or are at risk of harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal; however, a person will not be suspended automatically, or without careful thought being given to the particular circumstances of the case.

The Trust will consider carefully whether the circumstances of the case warrant a person being suspended from contact with children at the Academy until the allegation is resolved, and may wish to seek advice from the personnel adviser.

The Trust will also consider whether the result that would be achieved by suspension could be obtained by alternative arrangements, for example, redeployment, so that the individual does not have direct contact with the child concerned, or providing an assistant to be present when the individual has contact with children. Doing so allows time for an informed decision regarding the suspension and possibly reducing the initial impact of the allegation. Any decision regarding suspension or alternatives will, however, depend upon the nature of the allegation.

The Trust will consider the potential permanent professional reputational damage to members of staff that can result from suspension where an allegation is later found to be unsubstantiated, unfounded or maliciously intended.

Children's social care services or the police cannot require the Trust to suspend a member of staff or a volunteer, although the Trust will give appropriate weight to their advice.

A dynamic risk assessment is carried out for each individual case to determine whether the member of staff should be suspended. The assessment takes into account the context of the allegation, background information in relation to the member of staff, and any outcome following the strategy meeting. It also takes into account whether a temporary transfer or period of paid leave is appropriate as an alternative to suspension.

Where a strategy discussion is required, or police and / or CSC may need to be involved, the DSMA must wait until the LADO has agreed with the agencies what information can be disclosed to the person subject to the allegation and by whom.

The DSMA should liaise with the individual Academy Principal in order to inform the person subject to the allegation about the allegation as soon as possible **after consulting the LADO**.

The DSMA will need to consider whether parents need to be advised of an incident involving their child. This might be straightaway, for example if the child has been injured whilst in the organisation's care and requires medical treatment, or this may need to wait until initial consultation has taken place with the agencies involved, to determine what can be disclosed and by whom.

8. Referral outcomes

No further action

Where the LADO agrees that no further action is to be taken regarding the individual facing the allegation, the decision and justification should be recorded by both the DSMA and the LADO. The DSMA and the LADO should:

- Agree what information should be put in writing to the individual concerned by the DSMA;
- Identify any action in respect of those who made the initial allegation; and
- Consider what information should be shared with the child and their parents / carers and by whom.

DfE guidance (Dealing with Allegations of Abuse Against Teachers and Other Staff 2012) states that "the quick resolution of the allegation should be a clear priority to the benefit of all concerned. Any unnecessary delays should be eradicated".

Where the allegation does not require a formal process, appropriate action should be initiated **within a reasonable timescale**.

If the evidence indicates that a disciplinary hearing may be required, then the process will be completed as quickly as possible and without unavoidable delay within the requirements and timescales of the Trust's Disciplinary Policy and Procedure. The employee must be kept informed regularly of the progress in this event.

Disciplinary / internal investigation

The DSMA will need to determine if any further disciplinary / internal investigation is needed. The LADO should discuss with the DSMA, who will undertake initiating this process and in straightforward cases this would normally be a Designated Safeguarding Lead (DSL) or Academy Principal.

The investigating officer should aim to provide a report to the CEO as soon as possible. On receipt of the report, the CEO should decide whether a disciplinary hearing is needed.

The outcome of any process must be reported to the LADO, who should consider with the DSMA what information should be shared with the child and their parents / carers and by whom.

9. Action on conclusion of a case

Where LADO investigations are concluded, the LADO should consider convening a review discussion/meeting to share relevant information, categorise the allegation and agree any further action to be taken.

Where an internal/disciplinary process is concluded, the LADO should be informed of the outcome and should reach agreement with relevant professionals as to the category of the allegation.

Outcome of allegation - categories

- **Substantiated:** there is sufficient identifiable evidence to prove the allegation;
- **False:** there is sufficient evidence to disprove the allegation;
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject of the allegation;
- **Unfounded:** there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the allegation or was mistaken about what they saw. Alternatively, they may not have been aware of the circumstances;
- **Unsubstantiated:** this is not the same as a false allegation. There is insufficient evidence to either prove or disprove the allegation.

For all allegations a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, a note of any action taken and the decisions reached should be kept on the confidential personnel file of the individual concerned and a copy of this should be provided to the individual.

If the allegation is substantiated and the person is dismissed, or EVAT ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, advice should be sought from the LADO about whether EVAT is under a statutory duty to

make a referral to the [Disclosure and Barring Service \(DBS\)](#). EVAT should also consider if a referral to any Professional Regulatory Body is required.

10. Unsubstantiated, unfounded, false or malicious allegations

If an allegation is determined to be unsubstantiated, unfounded, false or malicious, the LADO and the case manager will consider whether the pupil and/or the person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. If this is the case the DSL will decide whether a referral to CSCS needs to be made.

If it is clear to the Principal and the LADO that the allegation is demonstrably false or unfounded, the member of staff will be informed orally and in writing of the allegation, that it is without foundation and that no further action will be taken.

Where appropriate, and if requested, support will be offered, which could include occupational health and counselling services.

If a report is shown to be deliberately invented or malicious, the Trust will consider whether any disciplinary action is appropriate against the individual who made it, in line with the Disciplinary Policy and Procedure (for staff reporters) or Behavioural Policy (for pupil reporters). The police may also consider taking action against the individual making the allegation.

Details of allegations that are found to have been malicious or false will be removed from the staff member's personnel record, unless they give their consent for the information to be retained.

Where an allegation is found to be false, unfounded, unsubstantiated or malicious, the Trust/school will not include details of the allegation in references.

11. Learning lessons

At the conclusion of a case, the DSMA should consider whether there are any improvements to be made or lessons to be learned. This should include, where appropriate, consideration of EVAT's procedures or practice to help prevent similar events in the future, including issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified.

PART 2 - Allegations against People Who Work with Children Practice Guidance

1. Roles and responsibilities

Named Senior Officer

Each of the Local Safeguarding Partnership member organisations should identify a Named Senior Officer with overall responsibility for:

- Ensuring that their organisation deals with allegations in accordance with these procedures;
- Resolving any inter-agency issues;
- Liaising with the DSP on the subject.

In EVAT's case, the Named Senior Officer is termed the DSMA (Designated Staff Member for Managing Allegations against staff).

Local Authority Designated Officer

The Local Authority has designated officers (**LADOs**) to:

- Be involved in the management and oversight of individual cases;
- Provide advice and guidance to employers and voluntary organisations;
- Liaise with the police and other agencies;
- Monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process.

Contacts

<u>Education Village Academy Trust</u>					
EVAT Chief Executive: Mike Butler					
EVAT's Designated Staff Member for Managing Allegations Against Staff (DSMA): Marie Roe, Chief Operating Officer					
<u>External Agencies</u>					
The LA's Safeguarding Partnership's Business Manager: Amanda Hugill Tel: 01325 406450					
The LA's Education Safeguarding Officer: Joanna Conway Tel: 01325 405848					
Children's Initial Advice Team Telephone: 01325 406252					
E-mail: childrenaccesspoint@darlington.gcsx.gov.uk					
Emergency Duty Team 01642 524552					
Multi	Agency	Safeguarding	Hub	(MASH)	Tel : 01325 742020
EPM – EVAT's HR Advisor – Jane Warburton Tel: 01325 281480					

2. Police

The police have a **senior officer** whose role it is to have strategic oversight of the arrangements to liaise with the DSP & ensure compliance. Police have **designated officers** in the Serious Crime Teams to:

- Liaise with the LADOs;

- Take part in strategy and evaluation discussions/meetings;
- Review the progress of cases in which there is a police investigation;
- Arrange for the sharing of information on completion of an investigation or prosecution.

3. Conflict of interest/impartiality

Any person involved in the consideration and/or investigation of an allegation must declare any possible conflict of interest e.g. if the allegation relates to someone known to them such as a relative, friend, colleague (including colleagues worked with regularly in another agency) or someone from an organisation to which they are affiliated e.g. religious, social.

In all investigations and considerations of an allegation due regard should be given to ensuring objectivity and impartiality. Depending on the circumstances this may require, for example:

- Use of staff who are sufficiently separate from the line management of the person subject to the allegation;
- Use of an independent investigator.

4. Suspension

Only The CEO or the Chair of the Board has the authority to suspend a member of staff; If a decision not to suspend is made against the recommendation of the Evaluation Meeting between LADO, the Police and Children's Social Care then the CEO/Chair of the Board will need to consider any other actions that they may need to take.

5. Supporting those involved

Supporting the employee:

- The Trust has a duty of care to their employees. They will act to manage and minimise the stress inherent in the allegations and disciplinary process. Support for the individual is vital to fulfilling this duty.
- Individuals will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police.
- Individuals will be informed by the Principal or CEO the earliest opportunity when a concern or allegation will include police involvement.
- The individual will be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be given access to welfare counselling and/or medical advice.
- The Trust will appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual, which may include occupational health.
- Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues.

- Social contact with colleagues and friends is not to be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

Supporting the parents/carers:

- Parents/carers of a child or children involved will be told about the allegation by the Principal or CEO as soon as possible if they do not already know of it; however, where a strategy discussion is required, or the police or children's social care services need to be involved, the **Principal** will not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents.
- They will also be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution. If an internal investigation is then required they will be informed that an internal investigation will be conducted under the Disciplinary policy and any sanction applied would be in line with the policy.
- The deliberations of a disciplinary hearing, and the information considered in reaching a decision, cannot normally be disclosed,
- In deciding what information to disclose, careful consideration will be given to the provisions of the GDPR and the Data Protection Act 2018, the law of confidence and, where relevant, the Human Rights Act 1998.

Supporting the child:

- In cases where a child may have suffered significant harm, or there may be a criminal prosecution, children's social care services or the police, as appropriate, will consider what support the child or children involved may need. Similarly, where a child has been harmed, the Principal should consider what support they should offer the child.
- Where it is decided, on the conclusion of the case, that the person who has been suspended can return to work, the DSMA/Academy Principal/HR Department should consider how best to facilitate that. Most people will benefit from some help and support to return to work after a very stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The DSMA/Academy Principal should also consider how the person's contact with the child or person who made the allegation can best be managed if s/he is to continue working with them.

6. Confidentiality

It is extremely important that, when an allegation is made, every effort is made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. At the strategy/evaluation discussion, the DSMA should take advice from the LADO, Police and CSC to agree the following:

- Who needs to know and, importantly, exactly what information can be shared;
- How to manage speculation, leaks and gossip;
- What, if any, information can be reasonably given to the wider community to reduce any speculation; and
- How to manage press interest if and when it should arise.

Teachers: The Education Act 2011 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same Academy. The legislation makes it an offence for any matter relating to the person to be included in any publication if it is likely to lead members of the public to identify the person as the teacher who is the subject of the allegation. Publication is defined as: any speech, writing, relevant programme or other communication in whatever form (including social media) which is addressed to the public at large or any section of the public. It does not include an indictment or other document prepared for use in particular legal proceedings, nor a document published by the regulator of a profession of which the person who is the subject of the allegation is a member in connection with disciplinary proceedings in relation to the person.

Any person may make an application to a magistrates' court for an order dispensing with the restrictions and the court may make an order dispensing with these to the extent specified in the order, if it is satisfied that it is in the interests of justice to do so, having regard to the welfare of the person who is the subject of the allegation, and the victim of the offence to which the allegation relates.

The restrictions cease to apply:

- Once the teacher has been charged with an offence;
- If the Secretary of State publishes information about the person who is the subject of the allegation in connection with the investigation of disciplinary cases;
- If the person who is the subject of the allegation waives their right to anonymity, or
- Gives their written consent for another person to do so.

N.B. The Education Act 2011 guidance on reporting restrictions only applies to teachers but this is good practice to consider for all employees.

7. Resignations and 'Settlement agreements'

The fact that a person tenders his or her resignation, or ceases to provide their services, must not prevent an allegation being followed up in accordance with these procedures. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process. Wherever possible, the person should be given a full opportunity to answer the allegation and make representations about it. The process of recording the allegation and any supporting evidence, and reaching a judgement about whether it can be regarded as substantiated on the basis of all the information available, should continue even if that cannot be done or the person does not cooperate. It may be difficult to reach a conclusion in these circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

By the same token, so-called 'settlement agreements' (previously known as compromise agreements), by which a person agrees to resign if the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, must not be used in these cases. A settlement agreement will not

prevent a police investigation where that is appropriate nor does it override the statutory duty to make a referral to the DBS.

8. Referrals to the Disclosure and Barring Service (DBSs) and/or Regulatory Bodies (e.g. TRA)

a. DBS

Under the Safeguarding and Vulnerable Groups Act 2006 there is a **legal duty** for regulated activity providers and personnel suppliers to make a referral to the DBS where they have permanently removed a person from regulated activity through dismissal or permanent transfer from regulated activity (or would have done if the person had not left, resigned, retired or been made redundant), and the person has carried out one of the following:

- Been cautioned or convicted of a relevant (automatic barring) offence, or
- Engaged in relevant conduct in relation to children that has harmed a child or put them at risk of harm, or
- Satisfied the Harm Test in relation to children (i.e. no action or inaction occurred but the present risk that it could was significant). (To satisfy the harm test there needs to be credible evidence of risk of harm to children such as statements made by an individual regarding conduct / behaviour etc.)

EVAT has a statutory duty to make reports, and to provide relevant information to the DBS. Referrals should be made as soon as possible after the resignation or removal of the member of staff involved and within one month of ceasing to use the person's services.

b. Regulatory Bodies (Teaching Regulation Agency)

EVAT should refer to the guidance published by the TRA to determine if and when any allegation of professional misconduct should be reported to them.

9. Record keeping

Any details of allegations that are found to be malicious or false will be removed from the staff member's personnel record, unless they give consent for the information to be retained.

For all other allegations the following information will be kept on the staff member's personnel file:

- A clear, comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Details of any action taken, decisions reached and the outcome
- A copy provided to the person concerned, where agreed by the CSCS or the police
- A declaration of whether the information will be referred to in any future reference

The Trust will retain records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA) for the term of the inquiry. All other records will be retained until the staff member subject to the allegation has reached normal pension age or for a period of 10 years from the date of the allegation, whichever is longer.

All records will be managed in line with the Trust's Data Protection Policy.

10. References

Where an allegation is found to be false, unfounded, unsubstantiated or malicious the Trust/school will not include details of the allegation in references. Substantiated allegations will be included in references, provided that the information is factual and does not include opinions.

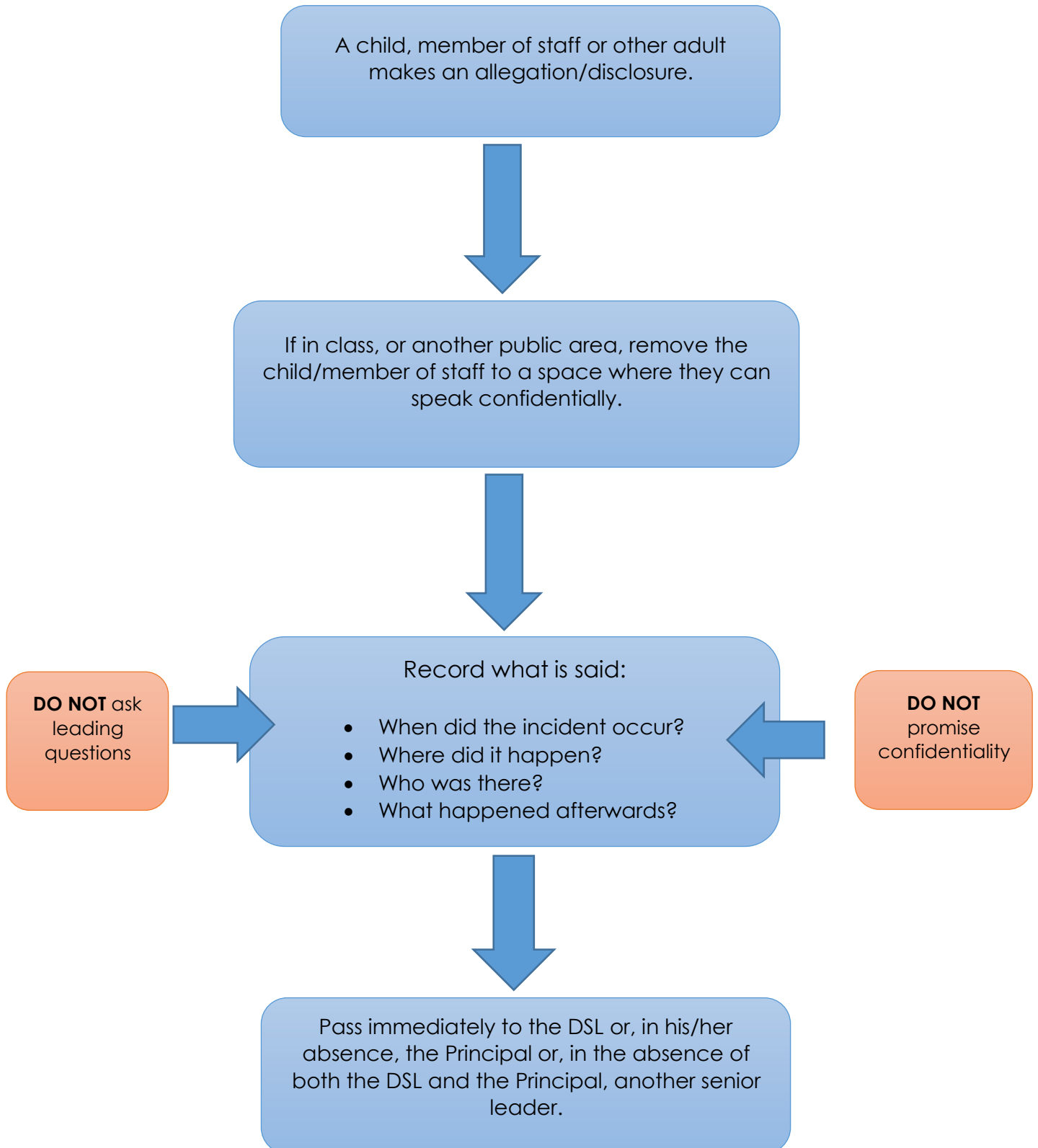
Referees should include accurate information taken from the personnel file and they should consult with EVAT's HR Business Partner about providing any information in references in relation to allegations, including where sanctions are 'spent'.

11. Public Sector Equality Duty (Equality Act 2010)

In preparing or amending this policy, the author has given due regard to the Public Sector Equality Duty; that is they have considered any potential impact on people who share certain protected characteristics. These protected characteristics are defined as: race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity and gender reassignment.

FLOWCHART 1

How to deal with a safeguarding concern: the first five minutes (to be read in conjunction with the EVAT Safeguarding and Child Protection Policy)



FLOWCHART 2

Trust guidance for dealing with an allegation against staff to determine whether referral to a LADO is required (to be read in conjunction with the EVAT Safeguarding and Child Protection Policy)

An allegation is made against a member of staff

Undertake appropriate action to address any immediate risks -

DSL/Principal speaks to child/member of staff with another member of staff and clarifies details:

- When did the incident occur?
- What time of day?
- What was the context?
- Lesson/Room/Etc.?
- Who was there (staff/other children)?
- Have they told anybody else?
- What happened afterwards?

Report concerns to the Designated Staff Member for Managing Allegations against Staff (prior to speaking to LADO or after seeking LADO advice, as appropriate)

- Detailed records of conversation (including questions) are considered by the designated staff member/senior leaders/DSL using common sense approach
- Inform parents/carers, invite to comment and record conversation
- After consultation with DSMA, Senior Leaders/DSL take any necessary actions including referral to outside agencies (including LADO)
- Identify staff in the allegation and share all information (unless sharing of information may pose a risk to the child's health or wellbeing)
- Provide support for staff identified

Preliminary investigation concludes no further action required
Ensure documentation is retained

Preliminary investigation concludes further action required
Proceed to flowchart 3

FLOWCHART 3

Trust guidance for dealing with an allegation against staff where preliminary investigation concludes further action may be required (to be read in conjunction with the EVAT Safeguarding and Child Protection Policy)

