



Policy and Procedure in Managing Allegations of Abuse against Staff

ISI Regulatory Code – A6

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Policy Responsibility: Human Resources

Manager Policy Date: December 2015

Approved by Compliance team:

Ratification from Governors:

This Policy is for Mount St. Mary's College and Barlborough Hall School

Linked Policies: Safeguarding, Whistleblowing, Staff Behaviour (Code of Conduct)

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Mount St Mary's College and Barlborough Hall School Policy and Procedure in Managing Allegations of Abuse against Staff

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1. Introduction

- 1.1 Mount St Mary's College and Barlborough Hall School (the schools) are committed to providing the highest level of care for both its students and its staff.
- 1.2 All allegations of abuse against any member of staff, or volunteer will be recorded and investigated.
- 1.3 This policy should be read in conjunction with the Safeguarding Policy, Whistleblowing Policy, Complaints Procedure and Keeping Children Safe in Education September 2016.

2. Aims of the Policy

2.1 The aim of this policy is to put in place a framework for managing allegations of abuse against Staff so that;

- All allegations are recorded and investigated properly and expeditiously.
- The person alleged to have been abused is given appropriate protection.
- Relevant agencies are consulted.
- The person subject of the allegation is dealt with properly and during the course of the investigation appropriate support is provided.

3. Reporting an Allegation

- 3.1 If there is an allegation made against someone working or volunteering at the school then this must be reported to the Headmaster. In the Headmaster's absence it must be reported to the Safeguarding Lead who must keep the headmaster informed. The School will contact the Local Authority Designated Officer (LADO), Mr Miles Dent (01629 531 940), within at least one working day. The school will not investigate or seek the approval of parents before first speaking to the LADO. The school will not take any further action until the LADO has been consulted, unless the case is of sufficient gravity that the police must be informed immediately. A referral will be made immediately should there be a risk of serious harm to the child.
- 3.2 In the event that allegations or suspicions concern the Headmaster they must be reported to the Chair of Governors without informing the Headmaster. He will contact the LADO and no further action will be taken by the school.
- 3.3 The role of the LADO is set out at Appendix A to this Policy.
- 3.4 The school will act in accordance with the instructions of the LADO.

4. Supporting those involved

The member of staff or pupil who first raised the concern will be formally helped in a Documented way.

Pupils:

- 4.1 Pupils can contact their 'Supportive Listener' who will follow the procedure for reporting a Concern.

Parents:

- 4.2 There will be no contact with parents before the LADO is informed. Parents and carers will be notified of the fact their child has made an allegation against a member of staff.

The school's Designated Safeguarding Lead will liaise with parents/carers and with the child.

Parents and Carers will be regularly updated with regard to any internal investigation.

They will be informed of the outcome of any investigation and of the rationale for that outcome.

Staff:

- 5.1 There will be no further action until the LADO has been consulted. The individual against whom the allegation is made should be advised to contact a work colleague or their trade union representative, if they have one, for support.
- 5.2 The individual concerned will be informed as soon as is reasonably possible after the allegation has been made and a decision made as to what course of action will be taken.
- 5.4 The member of staff concerned will be advised of the support available from THE SCHOOLS resources for support and/or Counselling.
- 5.8 If the individual is subject to a criminal investigation the Police will advise the staff member concerned with regard to the case.

3. Confidentiality

- 6.1 The schools will not make any public disclosures that would identify any party involved in an allegation. Any such a disclosure by a member of staff will be regarded as a disciplinary matter.
- 6.2 It is a criminal offence to publish information that could lead to the identification of a staff member who is the subject of an allegation.

7. Suspensions

- 7.1 The schools will act promptly and properly to deal with allegations of abuse. Suspension will not be automatic but if the allegation concerns a grave matter the option of suspension will be considered and where necessary implemented.
- 7.5 Suspension is a neutral act to safeguard the individual and the child whilst an investigation is undertaken.
- 7.6 The Governing Body holds the power to suspend an individual but will be advised by the police and or social care whether or not a suspension is necessary.
- 7.8 Suspension terms are detailed in the Trust's Disciplinary Procedure.
- 7.9 The person should be informed at the point of their suspension who their named contact is within the organisation and provided their contact details.

8. Resignations

- 8.1 If an individual resigns when the allegation is made against them or during an investigation, the investigation will continue in accordance with this procedure until an outcome has been reached, with or without the individual's cooperation. The individual will be given full opportunity to answer the allegation.
- 8.2 Settlement agreements will not be used in situations which are relevant to these procedures.
- 8.3 Should the member of staff resign the school will make a referral to the Disclosure and Barring Service and refer the matter to the NCTL.

9. Record keeping

- 9.1 Records of investigations and outcomes will be kept in the individual's personal file and they will be given a copy. The record will be kept, including for people who leave the organisation, at least until the person reaches normal retirement age or for 10 years if that will be longer, from the date of the allegation.
- 9.3 Details of any allegation made by a student will be kept in the confidential section of their record.

10. Action following a criminal investigation or prosecution

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- 10.1 The police or the Crown Prosecution Service (CPS) will inform the Trust and the LADO immediately when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after the person has been charged.
- 10.2 Once the action is known, the LADO will discuss with the schools case manager whether any further action, including disciplinary action, is appropriate and, may advise how to proceed.

11. Action on conclusion of the case

- 11.1 If it is decided that the individual may return to work after a suspension, then provisions will be put in place to ensure that the transition is as smooth as possible.
- 11.2 This may involve a phased return for a short period or the use of another member of staff as a support system in the short term.
- 11.3 In any case, a return to the workplace will be fully discussed and agreed how to manage this with the individual.
- 11.3 If the child who made the allegation is still at the school, the schools will consider what needs to be done to manage the contact between individual and child.
- 11.4 In the case of a substantiated allegation, the schools will notify the Disclosure and Barring Service (DBS).

Learning Lessons

- 16.1 No matter what the outcome is of an allegation of abuse against staff, the schools will review the case to see if there are any improvements that can be made in its practice or policy that may help to deal with cases in the future.

17. Review, Monitoring and Evaluation

- 17.1 The governing body will be responsible for reviewing and monitor the operation and effectiveness of this policy.

KEY CONTACT NUMBERS:

Mount St. Mary’s College	01246 433388
Local Authority Designated Officer (office)	01629 531940
Chair of Governors	01246 434066
Mr Nicholas Cuddihy (Headmaster)	01246 434066
Mr Nic Boys (Headteacher BHS)	01246 810511
Mr Andrew Hutchings (Deputy Head)	01246 437101
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– October 2015

