


Statement of procedures for dealing with allegations of abuse against teachers and other staff, including supply teachers and volunteers (detailed procedures)

Ellesmere Port Catholic High School



Approved by:	Mr J Coucill, Chair of Governors 
Lead of Review:	Mr C Jones, Business Manager
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The Local Authority produces Allegations Management guidance and procedures for senior managers. These have been adopted by the school and are appended to this document.

These procedures related to the Child Protection and Safeguarding Policy and Keeping Children Safe in Education (2020) guidance update – January 2021 (Post EU Exit) Section Four.

This policy applies to all cases in which it is alleged that a current member of staff or volunteer has:

- Behaved in a way that has harmed a child, or may have harmed a child, or
- 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 would pose a risk of harm to children
- Behaved or may of behaved in a way that indicates they may not be suitable to work with children

It applies regardless of whether the alleged abuse took place in the school. Allegations against a teacher who is no longer teaching and historical allegations of abuse will be referred to the police.

We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

Our procedures for dealing with allegations will be applied with common sense and judgement.

Suspension

Suspension will not be the default position and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative. Advice will be sought from the designated officer at the local authority and Human Resources.

Definitions for outcomes of allegation investigations

Substantiated: there is sufficient evidence to prove the allegation

Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive

False: there is sufficient evidence to disprove the allegation

Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)

Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.

Procedure for dealing with allegations

We will follow Cheshire West and Chester's allegations procedures (Appendix A and B).

In the event of an allegation that meets the criteria above, the Headteacher (or chair of governors where the Headteacher is the subject of the allegation) – the 'case manager' – will take the following steps:

Immediately discuss the allegation with the designated officer at the local authority (LADO) - **within one working day**. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police).

If it is agreed that the matter is an appropriate referral to the LADO, then a referral form (Appendix 3) should be completed by the case manager and sent immediately to the LA Safeguarding Unit at:

safeguardinglado@cheshirewestandchester.gcsx.gov.uk

If it is deemed necessary, a strategy meeting will be convened which will be chaired by the LADO or Independent Conference Chair.

Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer following their advice (and the police or children's social care services, where necessary). Where the police and/or children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies.

Where appropriate, carefully consider whether suspension of the individual from contact with children at the school is justified or whether alternative arrangements can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate.

If immediate suspension is considered necessary, agree, and record the rationale for this with the designated officer. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the school and their contact details. The school will seek the advice of Human Resources in these circumstances.

If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation.

If it is decided that further action is needed, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or children's social care services as appropriate.

Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and consider what other support is appropriate.

On advice from the LADO, inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against an individual (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice.

Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence).

Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child. Support will be sought from Human Resources.

If the school is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the National College for Teaching and Leadership.

Where the police are involved, wherever possible the governing body will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the school's disciplinary process, should this be required at a later point.

Confidentiality

The school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the local authority's designated officer, police and children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

Record-keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case. Such records will include:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved.
- Notes of any action taken and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, the school will retain the records of the case on the individual's confidential personnel file and provide a copy to the individual. We will retain these records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

References

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated or malicious, or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

Appendix A: Cheshire West and Chester Allegations Procedures

Appendix B: Allegations (LADO) Referral Form

Further guidance

**Keeping Children Safe in Education (2020) – Guidance from Update - January 2021 (Post EU Exit)
(Section Four)**

**Guidance for Safer Working Practice for Adults who work with Children and Young People in
Education Settings**

Working together to Safeguard Children