



## **Allegations Against Staff Policy**

Coventry Local Authority expects all schools to have a procedure for managing allegations against those who work with children which covers both employed staff and volunteers. There is an overarching procedure for managing allegations against staff which is investigated by the Head Teacher under the guidance of the Local Authority.

This procedure confirms how allegations are managed once they are reported. These procedures ensure that senior managers receive advice and guidance from the authority to ensure the issue is managed to an effective conclusion. Each school in addition needs to have its own procedure for managing allegations which ensures as a minimum that allegations against staff are reported to an identified Senior Manager within the organisation who in turn contacts the authority.

Moat House Primary School has developed the procedure to ensure that allegations against staff are dealt with appropriately and are reported to the Local Authority.

### **Allegations against staff members**

Sometimes allegations may be made against members of staff employed by the school including volunteers. Such allegations are dealt with according to specific procedures.

The member of staff to whom the allegation is reported, (usually a member of the Leadership Team), must:

- Treat the matter seriously;
- Ensure that, where necessary, the child/young person receives appropriate medical attention;
- Make a written record of the information using the child's/parent's own words, including when the alleged incident took place; who was present; and what happened;
- Sign and date the written record;
- Report the matter immediately to the Head Teacher, or Deputy in his/her absence. Where a Senior Teacher is the subject of the allegation a referral should be made to a more Senior Manager and the Local Authority;
- Confidentiality must be maintained.

The Head Teacher for Moat House Primary School is: Alasdair Black

The telephone number is: 024 76 612073.

The school address is: Deedmore Road, Coventry CV2 1EQ.

Email address is: [headteacher@moathouse.coventry.sch.uk](mailto:headteacher@moathouse.coventry.sch.uk)

### **Initial action by the headteacher**

The Head Teacher will:

- Obtain written details of the allegation, signed and dated by the person receiving the allegation;
- Countersign and date the written details;
- Record any other information and names of any potential witnesses;
- Establish a chronology of significant events;
- Consider any information already known about those involved;
- Discreetly check any incident or log books;
- On the basis of these factors, make a professional judgement, and record the reason for any subsequent action taken.

If the allegation meets, or appears to meet, any of the criteria below or if unsure about the action to take – the Head Teacher should consult the Local Authority as soon as possible. No action should be taken until this discussion takes place, unless emergency action is required to safeguard or protect the child concerned, in which case the usual child protection procedures will take precedence. In order not to compromise the subsequent investigation the member of staff should not be advised that an allegation has been made against them unless it is agreed as appropriate by the Local Authority or agreed at a strategy discussion if one is agreed as necessary. The child's parent should also be advised at the earliest opportunity that an allegation has been made but they should be advised not to discuss the allegation directly with the staff member concerned.

**The Local Authority must be contacted if the 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 a child or children in a way that indicates s/he is unsuitable to work with children.**

These procedures apply whilst in connection with his/her employment, or voluntary or contracted activity. However, these procedures may also be used where concerns arise about:

- A person's behaviour in their personal life which may impact upon the safety of children to whom they owe a duty of care;
- A person's behaviour with regard to his/her own children;
- The behaviour in the private or community life of a partner, member of the family or other household member.

If an allegation requiring immediate attention is received outside of normal office hours the Head Teacher should consult immediately with the Out of Hours Emergency Social Work Service or Local Police. They must ensure they inform the Local Authority the next working day.

**Initial consideration by the Headteacher and the Local Authority Designated Officer**

The Local Authority will establish, in discussion with the Head Teacher, that the allegation is within the scope of the procedures and may have foundation. There may be up to 4 strands considered as part of this consideration and the discussion will centre upon whether there is a need for:

- Initial suspension of the individual member of staff;

- A Police investigation because a crime has or may have been committed;
- Enquiries and assessment by Social Care to determine if services or emergency actions are required;
- Consideration by the employer of disciplinary action in respect of the individual.

If agreement is reached that the criteria for action under the bullet points is met the Local Authority will contact Children's Social Care to ensure a formal "strategy meeting" is set up involving Children's Services, Social Care and the Police. If only the final criteria is met the Local Authority will provide advice to the school on the subsequent management of the case to a satisfactory conclusion within the framework of the school procedures for discipline and conduct.

### **Subsequent actions**

The detailed procedures that need to be followed after this initial consideration are available from the Local Authority. Advice and guidance is available through the Personnel Department who has a responsibility to provide advice and monitor the case to a conclusion. The Head Teacher is expected to keep the Local Authority advised of progress especially where it has been agreed that the matter should be dealt with within the framework of the organisation's disciplinary process. Key issues covered within these procedures are summarised below.

- The decision on **suspension** of the staff member subject to the allegation is a matter for responsibility of the Head Teacher. The Local Authority does not endorse automatic suspension of staff but the strategy meeting will make a recommendation to the agency if one is required.
- The organisation has a responsibility to provide **written information and support** to the member of staff subject to the allegation normally through an identified manager. An Information Leaflet is available from the Local Authority.
- The fact that a **decision has been made by the Crown Prosecution Service not to pursue a prosecution or a staff member is found not guilty of an offence** against a child does not mean that a disciplinary process is not required to protect children. A strategy meeting will be established if a disciplinary process may be necessary in such circumstance.
- The organisation has a responsibility to **conduct disciplinary investigations as speedily as possible** once it has been agreed a appropriate after the completion of enquires by the Personnel Department, Police and Social Care. Government Guidance, which is contained in the Local Authority procedures, states that disciplinary hearings should beheld within 15 working days of any allegation that does not require investigation, that disciplinary investigations should be completed within 10 working days, decisions on the outcome made within 2 working days and hearings established within 15 days.
- The fact that a person **tenders his or her resignation or ceases to provide their services** must not prevent an allegation from being followed up in accordance with these procedures and a conclusion reached. The Local Authority will advise on detailed responsibilities.

- **If the person is dismissed or resigned in circumstances which they might otherwise have been dismissed the organisation may have a duty to refer the individual to a professional body or the Independent Safeguarding Authority to allow them to consider whether to bar the individual from working with children in the future.**

**The school must retain a record of any investigation into an allegation on the member of staff.**

For approval by Governors: February 2019

To be reviewed: January 2022

January 2025