

MARLBOROUGH ROAD ACADEMY

POLICY ON MANAGING ALLEGATIONS OF ABUSE AGAINST STAFF

BACKGROUND

The Department for Education has published statutory guidance relating to allegations of abuse against teachers and other staff.

The guidance relates to The Children Act 1989, Section 175 of the Education Act 2002, Section 157 of the Education Act 2002, the Children Act 2004 and Section 11 of the Children Act 2004 and covers all adults working with children and young people, whether in a paid or voluntary position, including those who work with children on a temporary, supply or locum basis.

PURPOSES

Employers have a duty of care to their employees. They should ensure they provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended.

This Policy signposts the academy managers to the DfE guidance when carrying out duties relating to handling allegations of abuse against teachers and other staff and to the framework for managing cases of allegations of abuse against people who work with children as set out in *Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children* (April 2010). This framework provides an overview of how allegations should be handled. It is relevant for the purposes of s157 and s175 of the Education Act 2002.

GUIDELINES

This Policy and associated Department for Education guidance will be referred to if it is alleged that a teacher or member of staff, including volunteers, 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; or
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children.

Any allegation of abuse made against a teacher or other member of staff or volunteer will be dealt with quickly, in a fair and consistent way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation.

The Academy's named contact for any member of staff or volunteer facing an allegation of abuse is Mrs Judith Lawson, Business Manager and she will:

- Support the individual
- Inform the individual of concerns or allegations as soon as possible
- Give an explanation of the likely course of action (unless there is an objection by the local authority social care services or the police)
- Keep the individual informed of the progress of the case and if suspended, current work related issues
- Consider what other support is appropriate for the individual.

The individual will be advised to contact their trade union representative, if they have one, or a colleague for support. They will also be given access to the local authority occupational health or employee welfare services.

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

If the individual tenders his or her resignation, or ceases to provide their services, this will not prevent the allegation being followed up in accordance with the DfE procedures.

Details of allegations that are found to have been malicious will be removed from personnel records.

For all other allegations, a clear and comprehensive summary of the allegation, how it was followed up and resolved, will be kept on the individual's personnel file and a copy provided to the person concerned. The record will provide clarification in cases where future CRB disclosures reveal information and as such will be retained at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.

Where allegations have proven to be unsubstantiated, unfounded or malicious they will not be included in employer references.

If the allegation is substantiated and the person dismissed or the school ceases to use the person's services consideration will be given as to whether a referral to the Independent Safeguarding Authority (ISA) or the General Teaching Council (GTC) is required.

At the conclusion of each substantiated case, the Local Authority Designated Officer, the Headteacher and the Chair of the Governing Body will review the circumstances of the case to determine whether there are any improvements to be made to the academy's procedures or practices to help prevent similar events in the future.

CONCLUSION

The academy is committed to providing a safe environment for children to learn and to ensuring that its employees and volunteers are competent in carrying out their duties. The academy has adopted robust recruitment and selection procedures and other human resources management processes that help to deter, reject, or identify people who might abuse children, or are otherwise unsuited to work with them.

This Policy should be read in conjunction with:
the academy's

Policy on Child Protection/Safeguarding;

DfE Guidance "Dealing with Allegations of Abuse against Teachers and other Staff";

"Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children"

Safeguarding Children and Safer Recruitment in Education

Salford Safeguarding Children Board (SSCB) Manuals

DOCUMENT STATUS

Version	Date	Action
1	September 2012	
2		
3		
4		