

E-ACT POLICY

PARKWOOD ACADEMY

ALLEGATIONS AGAINST A MEMBER OF STAFF

Date agreed by Governors	
Date of review	
Responsible officer	Principal / Business Director

1 Introduction

- 1.1 This document provides the steps to take where there is an allegation of physical or sexual abuse against a member of staff in relation to an Academy student. The process described in this document is intended for use with both teaching and support staff. In this procedure, the term “parents” means all those having parental responsibility for a child.
- 1.2 The Academy recognises that any allegation is serious and needs to be dealt with in a sensitive, efficient manner. It is also important that those with responsibilities described in this procedure act without delay. All parties involved are likely to be distressed. Any disruption to the normal running of the Academy should be minimised.

2 Designated Child Protection Manager

- 2.1 The Principal shall designate a member of staff to act as the Child Protection Manager (CPM) for the Academy. The Academy’s Human Resources Manager may not also act as the CPM. The Principal shall advise the Governors and all members of staff of the name of the Academy’s CPM and inform them of any changes.

3 Receiving an Allegation

- 3.1 All allegations of physical or sexual abuse made against a member of staff in relation to a student must be reported to the CPM.
- 3.2 The CPM must make a written record (timed and dated) of what has been reported. If possible, the allegation should be written by the student or the person to whom the allegation was first made.
- 3.3 Total confidentiality must not be promised to the student or adult making the allegation or disclosure. For example, the person against whom the allegation has been made will have a right to know the substance of the allegation if disciplinary or legal action is to be taken.
- 3.4 The CPM must not discuss the allegation with the accused person prior to reporting the matter to the Principal.
- 3.5 In the event of the allegation being made against the Principal, the CPM is responsible for reporting the allegation to the Chairman of Governors, who will undertake the role assigned to the Principal throughout this procedure.

4 Principal's initial consideration of an allegation

- 4.1 The Principal, in consultation with the CPM, should decide whether any enquiries are necessary in order to decide whether or not to refer the matter to Social Services or the Police. The Principal and the CPM should consider what information needs to be gathered and how it is to be obtained. Staff or students must not be interviewed. Third parties within the Academy may

be asked, but not required, to write an account of their direct experience in relation to the allegation.

- 4.2 Where the Principal considers that a referral might be warranted under Child Protection Procedures, he must refer the matter accordingly without delay. Any alleged physical injuries must be investigated by the appropriate external agencies.
- 4.3 The Principal may seek advice from appropriate agencies. These agencies include the Social Services, the Department for Education and Skills and the Police.
- 4.4 At this initial stage, the Principal, in consultation with any external agencies, should decide on the extent to which information can be shared with the member of staff who is the subject of the allegation.
- 4.5 If the Principal decides to refer an allegation to the Social Services and/or the Police, any internal Academy enquiries should be held in abeyance until the Social Services/Police have indicated that they have no further involvement.

5 If an external referral is decided

- 5.1 The Principal should contact the Duty Officer at the Social Services office or the Police, as appropriate, to report the allegation.
- 5.2 The Principal should discuss with the Duty Officer what may and may not be said to the student/parent, to the member of staff against whom the allegation has been made, and to the initial informants.
- 5.3 The Principal should inform the Chairman of Governors that an allegation relating to a member of staff has been referred. The Principal should not describe the circumstances of the allegation to the Chairman of Governors at this stage.
- 5.4 The Principal should prepare a standard response to queries by Academy parents and the media. The response should indicate that:
 - i The matter is governed by procedures which the Principal is obliged to follow.
 - ii The matter is in the hands of the appropriate agencies and no further comment can be made
 - iii No names can be given for public use.
- 5.6 When inter-agency discussions take place, it is essential that the Principal or a substitute attends.
- 5.7 When the appropriate agencies have completed their procedures, the Principal may decide that an internal investigation should be carried out to establish whether or not the Academy's Disciplinary Procedure should be invoked. Any disciplinary investigation conducted by the Academy must follow the Academy's disciplinary procedure. Interviews with children should be kept to a minimum.

6 If an external referral is not made

- 6.1 An external referral would not normally be made when the Principal is satisfied that children are not at risk of significant harm or that a reportable criminal offence has not been committed.
- 6.2 An internal investigation should be carried out to establish the circumstances. If the Principal decides that disciplinary action may be appropriate, the Academy's Disciplinary Procedure should be invoked. Any disciplinary investigation conducted by the Academy must follow the Academy's disciplinary procedure. Interviews with children should be kept to a minimum.

7 Suspension of Staff

- 7.1 Suspension should not automatically follow an allegation but it may be an appropriate step at any stage, depending on the information available. Suspension is not a disciplinary action.
- 7.2 The decision on suspension is for the Principal to take. Where external agencies are involved, any decision on suspension should be made after consultation with them. Factors such as the seriousness of the allegation, the perceived risk to children, the existence or otherwise of previous complaints and the possible conduct of the investigation may be relevant.
- 7.3 Staff who are suspended should be advised that the Personnel Manager is their point of contact in the Academy. Staff who are suspended should also be advised to contact their teacher association, trade union or other professional body.

8 Role of the Governing Body

- 8.1 Members of the Governing Body will not normally become involved in child protection inquiries involving members of staff unless the Governor is subsequently requested to participate under the Academy's Disciplinary Procedure.

9 Record keeping

- 9.1 The CPM is required to manage the keeping of records in relation to the allegation. Where a person makes an oral statement, a written record should be produced and, as with other written statements, it should be signed and dated by the author.
- 9.2 The CPM should also ensure that a record is maintained of the process followed in handling the allegation. The Principal should verify the accuracy of that record.
- 9.3 These records must be stored securely.

10 Monitoring, Evaluation and Review

- 10.1 The Governing Body will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and published throughout the Academy.

References

DfEE Circular 10/95 Protecting Children from Abuse: The Role of the Education Service

DfEE Circular 11/95 Misconduct of Teachers and Workers with Children and Young Persons

"Teachers facing an allegation of physical/sexual abuse - Guidelines on Practice and Procedure"
(1995)

"Teachers and Child Protection: Head Teachers facing an allegation of physical/sexual abuse"
(1996)