

Safeguarding: Policy and Procedure for allegations and concerns raised in relation to staff, supply staff, contractors, and volunteers.

Monitoring Responsibility	Chief Education Officer
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## 1. Introduction

Voyage Education Partnership is committed to providing the highest level of care for both its pupils and its staff. It is extremely important that any allegations or concerns raised in relation to a teacher, any other member of staff, including supply staff, contractors or volunteers in our school are dealt with thoroughly and efficiently, maintaining the highest level of protection for the child whilst also giving support to the person who is the subject of the allegation or concern. This Policy affirms that any allegations should be dealt with robustly, without prejudice and with the co-operation of external agencies where appropriate and necessary. This Policy should be read alongside:

- Voyage Education Partnership: Child Protection and Safeguarding Policy;
- Voyage Education Partnership: Child Protection and Safeguarding Policy Site Specific Policy;
- Working Together to Safeguard Children – July 2018;
- DfE Keeping Children Safe in Education 2021;
- Local arrangements for managing allegations issued through the relevant LSPs;
- The Children Act 1989 and 2004;
- The Children and Social Work Act 2017;
- The Education Act 2002.

Our policy is in line with statutory guidance from the Department for Education.

The Trust takes allegations of any kind against an adult working within the Trust very seriously and this policy outlines the steps which should be taken when such allegations arise in relation to pupil welfare and safeguarding. This policy is designed to ensure that all staff, pupils and parents or carers are aware of the procedure for the investigation and management of allegations and concerns in order that all complaints are dealt with consistently and as efficiently as possible.

All adults working within the Trust, children and young people and their parents/carers will be made aware of this policy and it will be available on the Trust's and Academies' websites for public access.

This policy is in two parts. The first part deals with allegations made against teachers, any other members of staff, including supply staff, contractors, or volunteers. The second part of the policy deals with low level concerns raised in relation to teachers, any other members of staff, including supply staff, contractors, or volunteers.

## 2. PART ONE: Allegations against staff, supply staff, contractors, and volunteers

### 2.1 Purpose

The procedure for dealing with allegations against staff, supply staff, contractors and volunteers depends on the situation and circumstances surrounding the allegation. This policy must be followed when dealing with allegations but may be adapted to each case. This policy will be used alongside the Trust's **complaints policy** and **child protection and safeguarding policy**.

This policy will be used in any case where it is suspected or alleged that a member of staff employed by the Trust or a volunteer within the Trust has:

- behaved in a way that has harmed a child or may have harmed a child (our **child protection and safeguarding policy** outlines what it means to harm 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 may pose a risk of harm to children.
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The fourth bullet point above includes behaviour that may have happened outside of the Trust Academies that might make an individual unsuitable to work with children. This is known as transferable risk.

### 2.2 Timescale

It is imperative that allegations against staff are dealt with as quickly as possible to:

- minimise the risk to the child
- minimise the impact on the child's academic progress
- minimise stress to the employee concerned
- ensure a fair and thorough investigation for all parties.

To enable this to happen, all staff, parents, and students should be aware of the procedures set out in this policy. Staff who are concerned about the conduct of a colleague towards a pupil are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career. All staff must remember that the welfare of the child is paramount and must report their concerns immediately.

### 2.3 Procedure

#### 2.3.1 Responsibilities

**Every adult working within the Trust has a statutory responsibility to report all allegations of child abuse and to alert the Headteacher if they suspect that child abuse may have occurred. Failure to report a child protection concern could result in disciplinary action.**

The Headteacher, Executive Team and Trustees are responsible for ensuring that employees are aware of their duty to report any allegation or concerns of a child protection nature. The failure to report may:

- put a child at risk; or

- imply a breach of the employee's contractual duty.

### 2.3.2 *Reporting an allegation*

All allegations made against staff, supply staff, contractors and volunteers should be reported immediately to the headteacher who will then contact the Designated Officer **and** Chief Education Officer. Complaints about the headteacher should be reported to the Chief Education Officer who will then contact the Designated Officer. The headteacher/Chief Education Officer will then act as the case manager.

In situations where a member of the Central Team is the subject of an allegation, they must be reported to the Chief Executive Officer in the first instance. The Chief Executive Officer will allocate a suitable case manager. Concerns relating to the Chief Executive Officer, or a Trustee must be reported directly to the Chair of the Trust Board. Concerns about the Chair of the Trust Board must be reported directly to the Chair of the Standards and Curriculum Sub-Committee.

The appropriate case manager (as defined above) will be responsible for:

- contacting the Designated Officer to share the information about the allegation and to discuss the next steps;
- informing all parties, if no further action;
- holding a strategy meeting to discuss options for the person against whom the allegations are made with the CEO or Chief Education Officer, Trust Safeguarding Manager and Human Resources;
- record decisions (including the rationale behind them);
- attend, with the support of the Trust's Team, any appropriate multi-agency strategy meeting if and when called.

The discussions with the Designated Officer will help the case manager to know the best options to deal with the allegations. If the matter is to be dealt with internally within the Academy or Trust, the Headteacher will, with the necessary support from the HR Manager, make very clear plans for managing the allegations, the impact on others and the preventative steps needed to avoid such a situation occurring again.

When an allegation is made the case manager (as defined above) will consider two aspects:

- looking after the welfare of the child; and
- investigating and supporting the person subject to the allegation.

In each case, the case manager will:

- apply common sense and judgement;
- deal with allegations quickly, fairly, and consistently; and
- provide effective protection for the child and support the person subject to the allegation.

Before contacting the Designated Officer, the case manager will conduct basic enquiries to establish the facts to help determine whether there is any foundation to the allegation. The case manager will contact the Designated Officer at the local authority (LADO) and a discussion will take place to decide whether:

- more information is required; or
- no further actions are needed; or

- a strategy discussion should take place; or
- there should be immediate involvement of the police or social care.

The Academy will share available information with the Designated Officer about the allegation, the child, and the person against whom the allegation has been made and consider whether a police investigation or a strategy discussion is needed. Representatives from other agencies may be invited to the discussion and could include representatives from health, social care, and police.

In the first instance the Designated Officer can be contacted on **01522 554674** or a referral made via <https://www.lincolnshire.gov.uk/safeguarding/lscp/7>

### 2.3.3 Investigation

An investigation into the allegation is normally carried out by children's social services or by the Academy. This will be agreed at the initial evaluation stage. Where the Academy is not conducting the investigation, it will cooperate with investigative agencies.

Internal investigations must be second to any safeguarding investigation and may need to be delayed until the external investigation is complete.

The following definitions should be used when determining the outcome of the investigation.

- **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 or cause harm to the to the person subject to the allegation.
- **False:** there is sufficient evidence to disprove the allegation.
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made.

**In no circumstances would the Academy cease to use a member of supply staff due to safeguarding concerns without finding out the facts and liaising with the Designated Officer to determine a suitable outcome. Whilst Voyage Education Partnership is not the employer of supply teachers, we will ensure allegations are dealt with properly and involve the supply staff agency in the process.**

### 2.3.4 Supporting those involved

- **The person(s) who makes the allegation and their parents/carers**

Parents and carers will be notified if their child makes or is involved in an allegation against staff if they do not already know. However, if the police or social services are to be involved, they will be contacted first and will advise as to what information may or may not be disclosed to the parents. The case manager will designate a member of staff to the role of liaising with the parents and child about the case and ensuring that they are fully informed as far as is possible. Parents and carers will be made aware of any progress in the investigation, and where there is no criminal prosecution, the outcome

will be explained to them. This may be a disciplinary outcome. During a disciplinary hearing the deliberations and information used for making a decision are usually confidential, but parents will be told the outcome in confidence.

Social services and the police may be involved and will provide the school with advice on what type of additional support the child may need.

The Trust's **whistleblowing policy**, (found in the policy section of all Academy websites and the Trust website) enables staff to raise concerns or allegations against their colleagues in confidence and for a sensitive enquiry to take place.

- **The employee**

Voyage Education Partnership has a duty of care to its employees and will take steps to minimise the stress of any allegation and the investigation process.

The person who is the subject of the investigation will be informed as soon as possible and usually after the initial discussion with the Designated Officer. The employee will then be advised on what the next course of action will be. However, if the police or social services are to be involved, they will be contacted before the employee, and will advise as to what information may be disclosed to the person under investigation.

The case manager will appoint a named person who will keep the employee informed of the progress of the case and any other work-related issues.

The employee will be advised to contact their trade union representative, or a colleague for support. The employee may need additional support and the case manager will consider what might be appropriate to best accommodate this. If it is a criminal investigation and the police are involved, they may provide this additional support.

Where an allegation is made against a member of supply staff, the supply agency should provide additional support to that member of staff.

### **2.3.5 Confidentiality**

Every effort will be made to guard the privacy of all parties during and after an investigation into an allegation. It is in everyone's best interest to maintain this confidentiality to ensure a fair investigation with minimum impact for all parties.

The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher in a school who has been accused by, or on behalf of, a pupil from the same school. This applies to parents and carers as well as the press.

A breach of confidentiality will be taken seriously and may warrant its own investigation.

### **2.3.6 Suspensions**

The case manager will not suspend a member of staff without serious consideration and evaluation of possible risk of harm to children and will not do it automatically once an allegation has been made. Depending on the nature of the case, it may be possible that alternative arrangements are made so that the individual can continue working. Based on assessment of risk, the following alternatives should be considered by the case manager with the support of the HR Manager and CEO before suspending the adult in which the allegation has been made against:

- redeployment within the academy so that the individual does not have direct contact with the child(ren) concerned;
- providing another adult to be present when the individual has contact with children;

- redeployment to alternative work within the academy so the individual does not have unsupervised access to children;
- moving the child(ren) to classes where they will not come into contact with the adult, making it clear that this is not a punishment and parents have been consulted;
- or temporarily redeploying the adult to another role in a different location, for example an alternative academy or work within the Trust.

The employer holds the power to suspend an employee but will listen to the views of the police and or social care regarding suspension.

The Trust has no authority or power to suspend a member of supply staff where an allegation is made against them. Instead, the Trust immediately will cease to use the services of that member of supply staff.

If suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the case manager (including notification to HR) and the Designated Officer(s). This must also include what alternatives to suspension have been considered and why they were rejected. Where it has been deemed appropriate to suspend the person, written confirmation will be sent within one working day explaining the reasons for the suspension. It is important to note that suspension is a neutral act which can protect the interests of both parties and is not a presumption of guilt.

The school will not prevent social contact with work colleagues and friends unless there is evidence to suggest this may prejudice the gathering of evidence.

It is important to note that the decision to suspend can be taken at any point during the investigation. A referral to the DBS must be considered for any staff member for whom it is decided that they should be deployed to another area of work that is not regulated activity, or they are suspended through this policy.

### **2.3.7 Resignations**

If an employee resigns when the allegation is made against them or during an investigation, the investigation will continue and every effort will be made to reach a conclusion, with or without the employee's cooperation. The employee will be given full opportunity to answer the allegations.

### **2.3.8 Record keeping**

Where an allegation is found to be false or malicious, it will be removed from the personnel record of the employee concerned.

For all other allegations, the following information will be kept in the employee's personnel file:

- a clear and comprehensive summary of the allegation
- details of how the allegation was followed up and resolved
- a note of any action taken, and decisions reached, and the outcome as categorised above
- a copy provided to the person concerned, where agreed by children's social care or the police
- a declaration on whether the information will be referred to in any future reference.

The record will be kept, including for people who leave the organisation, at least until the person reaches normal pension age or for 10 years if that will be longer, from the date of the allegation.

Details of any allegation made by a pupil will be kept in the confidential section of their record, together with a written record of the outcome of the investigation. If there are related criminal or civil proceedings, records may be subject to disclosure and therefore no assurances can be given on confidentiality.

### ***2.3.9 Action on conclusion of the case***

If the allegation is substantiated and the employee is dismissed or resigns, or we cease to use the volunteer's services, the supply staff member's services, or the contractor's services as a result of the allegation, the case manager will consider with the Designated Officer and the HR Manager whether a referral must be made to the DBS and/or to the TRA as appropriate.

If it is decided that the employee may return to work after a suspension, the case manager with the support of the HR Manager will work together on how to best facilitate this and provisions will be put in place by the Trust/Academy to ensure that the transition is as smooth as possible. This may involve a phased return for a trial period or the use of another member of staff as a support system in the short term. If the child who made the allegation is still at the Academy, the case manager will consider what needs to be done to manage the contact between employee and child.

Where an allegation is made against a member of supply staff or a contractor, the outcome of the investigation will be shared with the supply agency and the Designated Officer.

### ***2.3.10 Action in the case of false or malicious allegations***

Where an allegation is proved to be false, the case manager may refer to social services to determine whether the child needs support or has been abused by someone else.

Where the Trust/Academy considers pupils have made malicious allegations, they are likely to have breached Academy site-specific behaviour policies. The Academy will therefore consider whether to apply an appropriate sanction which could include temporary or permanent exclusion. Any allegations made by staff which the Trust/Academy considers to be malicious may be deemed to have breached Trust staff policies and could lead to disciplinary action being taken against the member of staff or termination to their services

If the claim has been made by a person who is not a pupil, the school may pass the information to the police who may take further action against that person.

### ***2.3.11 References***

Cases in which an allegation was proven to be false, unsubstantiated, or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated, or malicious should also not be included in any reference.

### ***2.3.12 After the case***

No matter what the outcome is of an allegation of abuse against staff, including supply staff, the case manager will review the case with the Chief Education Officer 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.

### ***2.3.13 Non recent allegations***

Where an adult makes an allegation that they were abused as a child, that adult will be advised to report the allegation to the police.

Non recent allegations made by a child will be reported to the Designated Officer in line with the local authority's procedures for dealing with non-recent allegations.

## 3. PART TWO: Low-Level Concerns

### 3.1 Purpose

The procedure for dealing with low-level concerns raised in relation to teachers, any other members of staff, including agency staff, contractors or volunteers depend on the situation and circumstances surrounding the concern.

This policy must be followed when dealing with low-level concerns but may be adapted to each case. This part of the policy will be used alongside the Trust's:

- Complaint's policy
- Child protection and safeguarding policy
- Disciplinary policy and procedure
- Grievance policy
- Staff code of conduct.

Voyage Education Partnership promotes an open and transparent culture in which all concerns about all adults working in or on behalf of the Trust (including supply teachers, volunteers, and contractors) are dealt with promptly and appropriately. This policy is designed to:

- promote and maintain a culture of openness, trust, and transparency where staff are clear about the behaviours expected of themselves and their colleagues
- ensure staff feel comfortable to raise low-level concerns; and
- provide for efficient and proportionate handling of those concerns when raised.

#### 3.1.1 *Recognising low-level concerns*

This policy will be used to manage 'low-level' concerns, defined as any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' – that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Designated Officer.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating, or offensive language.

#### 3.1.2 *The importance of sharing low-level concerns*

For our culture of openness, trust, and transparency to prevail, all staff should share any low-level concerns they have. Serious case reviews and safeguarding practice reviews have all too often evidenced how low-level concerns felt and/or

expressed by staff relating to individuals who were later found to have sexually abused children at a school were not recorded. When they are not recorded, they cannot be reviewed or studied for patterns of behaviour.

To minimise and hopefully eradicate the risk of those opportunities being missed, it is critical that staff understand their role in identifying and reporting low-level concerns.

### **3.1.3 *How to share low-level concerns***

All staff are encouraged to report low-level safeguarding concerns regarding colleagues so that the identified behaviours can be investigated and managed appropriately. The welfare of the child is paramount and so staff must report their concerns immediately.

All low-level concerns in relation to staff, supply staff, contractors and volunteers should be reported immediately to the headteacher. Low-level concerns about the headteacher should be reported to the Chief Education Officer. In situations where low-level concerns are raised about a member of the Central Team, they must be reported to the Chief Executive Officer in the first instance. Concerns relating to the Chief Executive Officer, or a Trustee must be reported directly to the Chair of the Trust Board. Concerns about the Chair of the Trust Board must be reported directly to the Chair of the Standards and Curriculum Sub-Committee.

The procedure for reporting low-level concerns is deliberately the same as that for reporting allegations of abuse as set out in part one of this policy. Therefore, staff do not need to concern themselves with whether their concern meets the threshold set out in part one of this policy or is a low-level concern. The headteacher or Chief Education Officer (or as appropriate) will make this determination once the staff member has reported the issue.

### **3.1.4 *Responding to low-level concerns***

The headteacher or as appropriate will review the concern to confirm that it is not a more serious issue that should be dealt with under part one of this policy. An issue reported as a low-level concern would be dealt under part one of this policy where it meets the threshold set out in part one or there is a pattern of low-level concerns expressed about the individual or staff practices generally.

If necessary, the headteacher or as appropriate will discuss the concern with the Designated Officer to determine whether it should be dealt with under part one of this policy.

The headteacher or as appropriate will discuss the concern with the individual who raised it and will investigate it as appropriate.

Most low-level concerns are likely to be minor and will be dealt with by means of management support or additional training. Where necessary, action may be taken in accordance with the Trust's Disciplinary Policy and Procedures or Grievance Policy. If the concern has been raised via a third party, the headteacher will collect as much evidence as possible by speaking directly to the person who raised the concern (unless it has been raised anonymously), to the individual involved and any witnesses.

Where a low-level concern is raised about a member of supply staff or a contractor, the concern will be shared with supply agency so they can take appropriate steps in accordance with their own policies and statutory guidance.

### **3.1.5 Recording low-level concerns**

All low-level concerns will be recorded in writing in the HR Case Management Module and will include details of the concern, the context and action taken. The records will be kept confidential and held securely in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation.

Records of low-level concerns will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. If such patterns are identified, the school will decide on an appropriate course of action and will refer the matter to the Designated Officer where the behaviour moves from a concern to meeting the harms threshold set out in the first part of this policy.

The record of the low-level concern will be kept at least until the person leaves our school.

### **3.1.6 References**

Low-level safeguarding concerns will not be included in references except where they have met the threshold for referral to the Designated Officer and found to be substantiated, in which case they should be referred to in a reference.

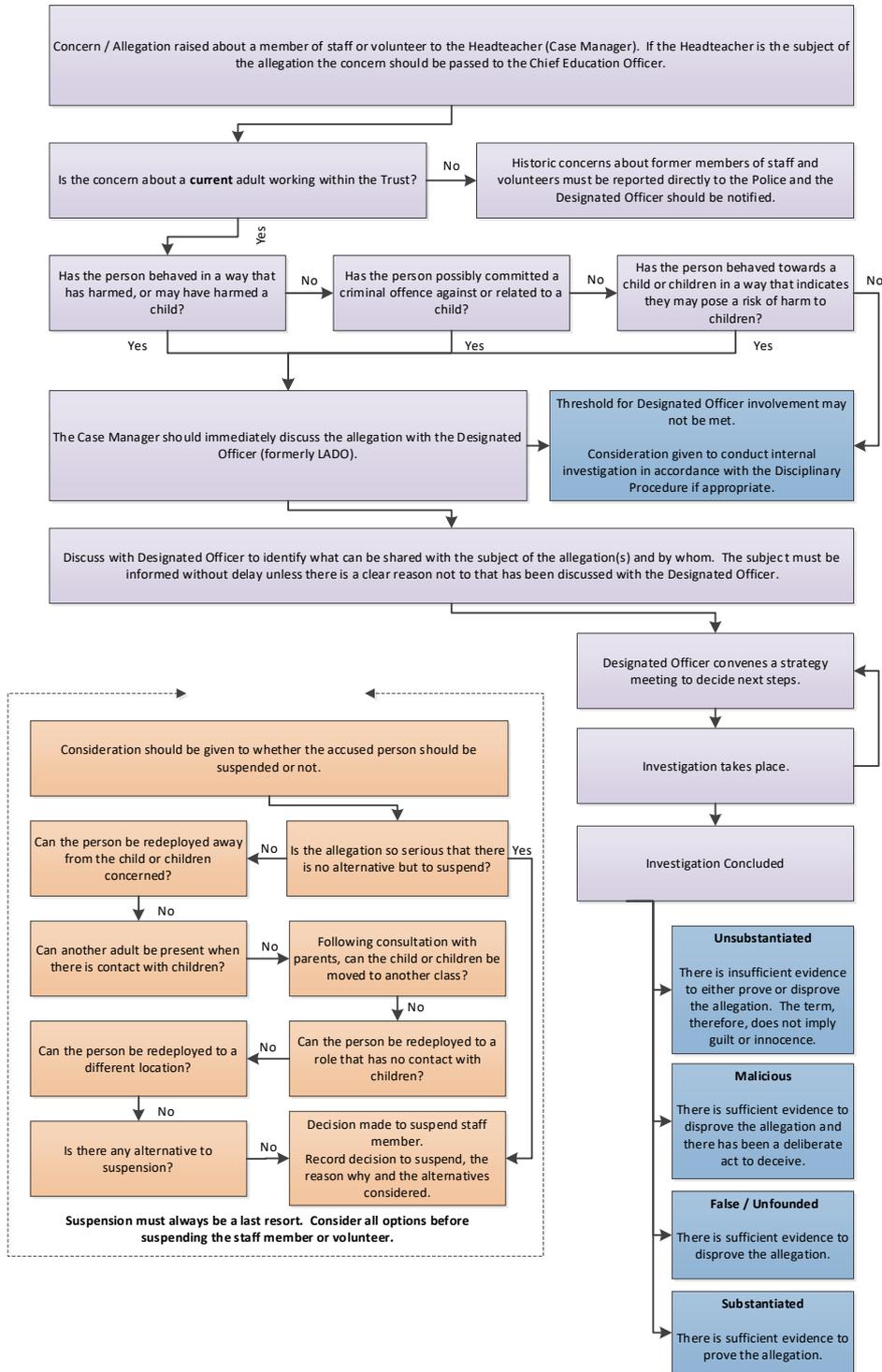
## **4. Maintaining this Policy and Procedure**

This policy and procedure will be kept up to date and amended accordingly to reflect any changes in response to revised legislation and applicable guidelines.

## **5. Appendices**



## Appendix 1 – Summary of Procedure for Managing Allegations and concerns raised in relation to staff, supply staff, contractors and volunteers



## Appendix 2 – Key Responsibilities of the Designated Officer

- Management and overview of individual cases from all partner agencies;
- providing advice, information and guidance to Senior Managers;
- monitoring the progress of cases to ensure cases are dealt with within set timescales;
- ensuring a consistent and thorough process for all adults against whom allegations are made;
- responsibility for maintaining information databases in relation to all allegations and producing qualitative and quantitative reports for LSPs and the DfE;
- attendance at or chairing strategy meetings and liaising with Chairs of strategy meetings (if not chairing); and
- contributing to LSP training programmes and awareness raising across Children’s workforce.

**Appendix 3 - SGF4 – Concern / Allegation in Relation to an Adult Working within the Trust Initial Notification Form**

Academy Site	
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Details of adult in which concerns have been raised	
Full Name	
Role	

Details of Young Person (if involves more than one pupil please use the pupil continuation sheet)			
Name of Child		D.o.B	
Tutor Group		Year Group	
Gender		Name of Parent / Carer	
Are they aware of the concern?		Contact Number	
Vulnerabilities of Young Person  (e.g. LAC, Child Protection History, SEND etc...)	<hr/> <hr/> <hr/> <hr/> <hr/>		

Consideration for contacting Designated Officer (If you answer yes to any of the questions below an initial discussion must be had with the Designated Officer)	
Has the person behaved in a way that has harmed, or may have harmed a child?	<input type="checkbox"/>
Has the person possibly committed a criminal offence against or related to a child?	<input type="checkbox"/>
Has the person behaved towards a child or children in a way that indicates they may pose a risk of harm to children?	<input type="checkbox"/>





Supporting Documents	
Designated Officer Referral	
Continuation Sheet(s)	
Other Statements	
Body Map	
MyConcern Incident ID	

Report Completed By			
Signed			
Date Report Completed		Time Report Completed	

Central Team Use Only		
Received By		
Date		
Case ID		
Notifications to	Chief Executive Officer <input type="checkbox"/>	
	Chief Education Officer <input type="checkbox"/>	
	HR Manager <input type="checkbox"/>	
	Trust Safeguarding Manager <input type="checkbox"/>	
Central Team Actions		
Who	What	When

**Appendix 4 - SGF4a – Concern / Allegation in Relation to an Adult Working within the Trust Initial Notification Form (Pupil Continuation Sheet)**

Academy Site	
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Details of adult in which concerns have been raised	
Full Name	
Role	

Details of Young Person (if involves more than one pupil please use the pupil continuation sheet)			
Name of Child		D.o.B	
Tutor Group		Year Group	
Gender		Name of Parent / Carer	
Are they aware of the concern?		Contact Number	
Vulnerabilities of Young Person  (e.g. LAC, Child Protection History, SEND etc...)			

Source of Information			
Date of Concern / Incident		Time of Concern / Incident	

Case Manager			
Role			
Email Address			
Internal Extension		Mobile	

<b>Report Completed By</b>			
<b>Signed</b>			
<b>Date Report Completed</b>		<b>Time Report Completed</b>	