



# **ST JOSEPH'S CATHOLIC HIGH SCHOOL**

## **DEALING WITH ALLEGATIONS OF ABUSE AGAINST MEMBERS OF STAFF**

**2017 – 2021**

**Date of Review: October 2017  
Next Review: October 2021**

## 1. **General**

The following procedure concurs with the statutory guidance as explained in Chapter 5 of *'Safeguarding Children and Safer Recruitment in Education'* (DCSF 2007).

It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer at St Joseph's is dealt with fairly, quickly and consistently, in a way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

The procedure detailed here will be used in respect of all cases in which it is alleged that a teacher or member of staff or volunteer at St Joseph's 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 in a way that indicates s/he is unsuitable to work with children.

NB: It is important to realise that allegations against teachers and other staff that do NOT relate to abuse will be dealt with by the Headteacher, Governors and Senior Leadership Team according to the School's Staff Disciplinary procedures and will not necessarily follow these procedures.

## 2. **Reporting Allegations**

Any allegations of abuse against teachers or other members of staff or volunteers as set out in section 1 above should be reported to the Headteacher immediately, unless he is absent or the allegation is about the Headteacher, in which case it should be reported to the Designated Officer for Safeguarding.

If the allegation meets any of the criteria mentioned above, the Headteacher or Designated Officer will report the matter to the Local Authority Designated Officer (LADO) the same day.

## 3. **Whistleblowing**

All staff are required to report to the Headteacher or the Designated Officer in their absence, any concern or allegations about school practices or the behaviour of colleagues which are likely to put pupils at risk of abuse or other serious harm. There will be no retribution or disciplinary action taken against a member of staff for making such a report provided that it is done in good faith.

## 4. **Initial Consideration**

Where the Headteacher considers that a member of staff or volunteer has acted in a way as set out in section 1 above, they will inform the LADO. (NB: The Headteacher should not investigate the allegation at this stage).

Where the Headteacher is unsure he should contact the LADO and together consider whether there is evidence/information that establishes whether the allegation is false or unfounded.

If the allegation is not patently false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the LADO will immediately refer to children's social care and ask for a strategy discussion in accordance with the Government Guidance 'Working Together to Safeguard Children' to be convened straight away. In those circumstances the strategy discussion should include the LADO and the Headteacher from St Joseph's.

If there is cause to suspect that a criminal offence might have been committed, the LADO should immediately inform the police [**telephone: 0845 125 222 or dial 999 in an emergency**] and convene a similar discussion to decide whether a police investigation is needed. That discussion should also involve St Joseph's and any other agencies involved with the child.

#### **5. Action Following Initial Consideration**

Where the initial consideration decides that the allegation does NOT require police or social care involvement, it will be for the Headteacher of St Joseph's (the employers) to investigate, and act as necessary in consultation with the LADO. This may range from taking no action to summary closure or a decision not to use the person's services in the future. If the nature of the allegation does not require formal disciplinary action, the Academy Committee will institute appropriate action **within 3 working days**. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held **within 15 working days**.

Where further investigation is required to inform consideration of disciplinary action, the Headteacher and the LADO will work together to collate information and will discuss who will carry out further investigations as necessary. The investigating officer will compile a report **within 10 working days**. At the completion of the report the Headteacher and the LADO will decide within **2 working days** whether a disciplinary hearing is required and, if so, this should be held **within 15 working days**.

In any case in which children's social care has undertaken enquiries to determine whether the child or children are in need of protection, the Academy Committee of St Joseph's will take into account any relevant information obtained in the course of those enquiries, when they are considering disciplinary action. LADO will continue to liaise with the Academy Committee to monitor progress of the case and provide advice/support when required/requested.

#### **6. Suspension**

Suspension will not be an automatic response to an allegation. Full consideration will be given to all the options, subject to the need to ensure:

- the safety and welfare of the pupils or pupil concerned; and
- the need for a full and fair investigation

#### **7. Supporting those involved**

Parents or carers of a child involved should be told about the allegation as soon as possible if they do not already know about it. The Academy Committee should discuss how to inform the parents with the LADO. The person who is the subject of the allegation should be kept informed and supported as necessary.

#### **8. Case Subject to Police Investigation**

If a criminal investigation is required, the police will aim to complete their enquiries as soon as possible consistent with a fair and thorough investigation and will keep the progress of the case under review. The police should set a target date for reviewing progress of the investigation and consulting the CPS about whether to proceed with the investigation, charge the individual with an offence or close the case.

Wherever possible that review should take place **no later than 4 weeks** after the initial action meeting and if the decision is taken to continue to investigate the allegation, dates for subsequent review should be set at that point.

If the police and/or the CPS decide NOT to charge the individual with an offence or decide to administer a caution, or the person is acquitted by a court, the police should, wherever possible, aim to pass all information they have which may be relevant to a disciplinary case to the Academy Committee (the employer) within 3 working days of the decision. In those circumstances the Academy Committee and the LADO will proceed as explained above under 'Action Following Initial Consideration' (NB: In any case in which children's social care has undertaken enquiries to determine whether the child or children are in need of protection, any information obtained in the course of those enquiries which is relevant to a disciplinary case should also be passed on to the Headteacher at St Joseph's). If the person is convicted of an offence, the police should also inform the Academy Committee (the employer) at once, so that appropriate action can be taken.

**9. Referral to the ISA**

If, on conclusion of the case, the school ceases to use the services of a member of staff (or volunteer) because he or she is considered unsuitable to work with children, the Head teacher will consult the LADO and report to the Independent Safeguarding Authority (ISA) within one month of the decision to cease using that person's services. A Compromise Agreement will not be used.