



GREENWOOD ACADEMIES TRUST

Safeguarding Directorate

Managing Allegations against Adults Working within the Trust

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Policy Statement

The care and support of all children and young people is of paramount concern to the Greenwood Academies Trust. The Trust takes the day to day care of its students, staff and volunteers very seriously. The Trust recognises that for large parts of student's early life, teachers and support staff play a key and critical role in influencing and shaping their life; academically, socially and morally.

At Greenwood Academies Trust we are committed to safeguarding children and young people and we expect everyone who works in our school to share this commitment.

Adults in our school take all welfare concerns seriously and encourage children and young people to talk to us about anything that worries them.

We will always act in the best interest of the child.

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 student welfare and safeguarding.

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 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:

- Greenwood Academies Trust: Safeguarding Policy;
- Greenwood Academies Trust: Site Specific Safeguarding Arrangements
- Greenwood Academies Trust: Safeguarding Practice Guidance;
- 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.

This document follows statutory guidance from the Department for Education when carrying out duties relating to handling allegations of abuse against adults working within the Trust.

Responsibilities

Every adult working within the Trust has a statutory responsibility to report all allegations of child abuse and to alert the Principal or Senior Education Adviser if the Principal is the subject of the allegation, if they suspect that child abuse may have occurred. Failure to report a child protection concern could result in disciplinary action.

The Principal and Directors 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.

Allegations against Adults Working within the Trust

This policy should be followed in all cases where concerns are identified in relation to an adult working within the Trust that could lead to, or has resulted in, a potential safeguarding issue.

Concerns can take many forms, including:

- a concern about an adult working within the Trust's behaviour and attitude which is not conducive to the best care of children and young people;
- a lack of professionalism, especially staff speaking negatively about any part or functioning of the organisation;
- competency and ability; and
- failure to follow the Trust's agreed policy and practice.

These types of concern should be dealt with internally within existing People Directorate policy.

There are criteria within national and local guidance that indicate when concerns must be discussed with outside agencies, especially the Local Authority Designated Officer (LADO). This is a statutory role which gives advice, support and consultation on all matters relating to allegations against people in a professional and volunteer role involving children, young people and, if appropriate, vulnerable adults.

Trust procedures must not be confused with statutory investigations carried out by Social Care or the Police. Internal investigations must only be carried out once the Local Authority Designated Officer and Police have concluded their involvement or at their request and with direction from the Trust People Directorate and Safeguarding Directorate.

The following must be discussed with the Local Authority Designated Officer where it is alleged that anyone working within our academies, including supply teachers, volunteers and contractors has:

- behaved in a way that has harmed a child, or may have harmed a child and/or;
- possibly committed a criminal offence against or related to a child and/or;
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children; and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Appendix 1 summarises the procedure for managing allegations and highlights when it is appropriate to make contact with the LADO.

Appendix 2 provides detail regarding concerns that do not meet the harm threshold and therefore will not require LADO involvement

Appendix 3 summarises the key responsibilities of the LADO.

The Trust's Safeguarding Directorate must be notified of any such concerns via the notification form **SGF4 (Appendix 4)** and will ensure that support is offered to all relevant parties, including the person against whom the allegation has been made.

It is acknowledged that concerns about adults working within the Trust will come from a variety of sources, sometimes other than from the person who may be the victim of any concerns. It is essential that all adults understand that no matter whether they are directly or indirectly affected by any concerns, they should be passed on.

Dealing with Allegations against Adults Working within the Trust

Investigations

There are three types of investigation:

- by Social Care and the Police;
- by the Police under criminal law; or
- by the Greenwood Academies Trust in line with staff disciplinary procedures.

If an allegation is made against an adult working within the Trust, the quick resolution of that allegation should be a clear priority to the benefit of all concerned. At any stage of consideration or investigation, all unnecessary delays should be eradicated.

In cases where concerns must be discussed with the LADO (see Appendix 1), the Academy/Trust should not initiate an internal investigation into an allegation against the adult until consultation has taken place with the LADO.

When an allegation of abuse is made against an adult working within the Trust there must be an immediate consideration of whether a child is at risk of significant harm and in need of protection with appropriate referrals to social care or the police made through local referral pathways.

All allegations or concerns must be immediately reported to the Principal who will act as the Case Manager. If the Principal is the subject of the allegation you must notify the Senior Education Adviser for the Academy.

In situations where a member of the Education Support Team is the subject of an allegation they must be reported to the Chief Executive in the first instance. Concerns relating to the Chief Executive, Deputy Chief Executive 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 Inclusion Sub-Group.

The Case Manager (Principal) will apply common sense and judgement, deal with allegations quickly, fairly and consistently and provide effective protection for the child and support for the person subject to the allegation.

The Case Manager (Principal) will also be responsible for:

- contacting the LADO to share the information about the allegation and to discuss the next steps;
- recording decisions (including the rationale behind them);
- informing all parties of next steps;
- discussing options for the person against whom the allegations are made with the Senior Education Adviser and People Directorate;

- attend, with the support of the Trust's Safeguarding Team, any appropriate strategy meeting if and when called
- sharing any additional concerns relating to the welfare of other children in the community or the member of staff's family with the LADO and ensuring risk assessment is undertaken regarding the situation
- ensuring that all involved parties are updated with progress of the investigation, case progress and outcomes

The discussions with the LADO 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 setting, the Principal will, with the necessary support from the Chief People and Organisational Development Officer, make very clear plans for managing the allegations, the impact on others and the preventative steps needed to avoid such a situation occurring again.

If the LADO feels that the matter needs a formal investigation external to the Academy or the Trust this will take the form of a strategy meeting with clear multi-agency discussions and plans taking place.

Agreement must be reached with the LADO (and the Police / Children's Social Care if appropriate) and the People Directorate as to how information is shared and maintained with the adult concerned throughout the investigative process.

The Case Manager will keep a record of all agreed action and the strategies used including the rationale behind them throughout the investigation process.

Supporting those Involved

The Greenwood Academies Trust has a duty of care to its employees and volunteers and will act to manage and minimise the stress inherent in the allegations process. Individuals will be notified of any concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by Children's Social Care or the Police as advised by the LADO. The adult will be advised to seek support from a colleague which may include representation from their professional body.

The Case Manager will appoint a named person to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual.

Arrangements must be made by the Case Manager to notify the parents or carers of the child(ren) of the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or the Police or Social Care need to be involved, the Case Manager should not do so until those agencies have been consulted and have agreed what information can be disclosed. Parents or carers should be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, will not normally be disclosed but the parents or carers of the child should be told the outcome in confidence.

Parents and carers must be made aware of the requirement to maintain confidentiality about any allegations made against a teacher whilst investigations are ongoing (Education Act 2002 section 141F paragraph 233-234).

It is extremely important that when an allegation is made that all parties make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

Considering Suspension

The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the child(ren) involved in the allegations. In some rare cases that will require the Case Manager to consider suspending the accused until the case is resolved.

Suspension should not be an automatic response when an allegation is reported; all options to avoid suspension should be considered prior to taking that step. Based on assessment of risk, the following alternatives should be considered by the Case Manager with the support of the Chief People & Organisational Development Officer 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.

If immediate suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the Case Manager in consultation with the People Directorate and the LADO. 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.

Particular care will be taken where the person is suspended to ensure they are kept informed of both the progress of their case and current work-related issues. The Trust will not prevent social contact with colleagues and friends unless such contact is likely to be prejudicial to the gathering and presentation 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.

Supply Teachers

In some circumstances the Trust may have to consider an allegation against a supply/agency member of staff. Whilst not the employer of the supply teacher, the Academy should ensure the same procedures are carried out as for Trust employed staff or volunteers.

Any investigation / decision making should be made in collaboration with the employing agency, the Case Manager and the LADO.

Agencies should be informed of the Allegations against Adults Working within the Trust Policy and procedures.

Resignations

If the accused person resigns, or ceases to volunteer, this should not prevent an allegation being followed up in accordance with the statutory guidance 'Keeping Children Safe in Education 2021'.

Outcomes

Where a case has been referred to the LADO an outcome will be agreed at the end 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 person subject of 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

If the allegation is substantiated and the person is dismissed or the person resigns or otherwise ceases to provide his or her services, the LADO should discuss with the Case Manager and the Chief People and Organisational Development Officer whether the academy will decide to make a referral to the DBS for consideration of inclusion on the barred lists; and in the case of a member of teaching staff whether to refer the matter to the Teaching Regulation Agency (TRA) to consider prohibiting the individual from teaching.

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the Case Manager, with the support of the Chief People and Organisational Development Officer will consider how best to facilitate that. The Case Manager will also consider how the person's contact with the child(ren) who made the allegation can best be managed if they are still a pupil at the school or college.

Where the Trust/Academy considers pupils have made malicious allegations, they are likely to have breached Academy 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.

Record Keeping

Details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached is kept on the confidential personnel file of the accused, and a copy provided to the person concerned. This should also include a declaration on whether the information will be referred to in any future reference.

The record should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

Where an allegation is upheld, a copy of the statement or record should be kept on the section of a student's child protection file, which is not open to disclosure, 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.

References

Cases in which an allegation was proven to be false, unfounded, 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.

Learning Lessons

For all cases, the Case Manager should consult with the LADO, the Chief People and Organisational Development Officer and the Safeguarding Directorate to fully consider the facts and determine whether any improvements can be made to policy or practice either within the specific academy or across the Trust.

Non recent allegations

Where an adult makes an allegation to an academy or the Trust that they were abused as a child, the individual should be advised to report the allegation to the Police.

Non-recent allegations made by a child should be reported to the LADO in line with the relevant Local Authority non-recent allegations procedure.

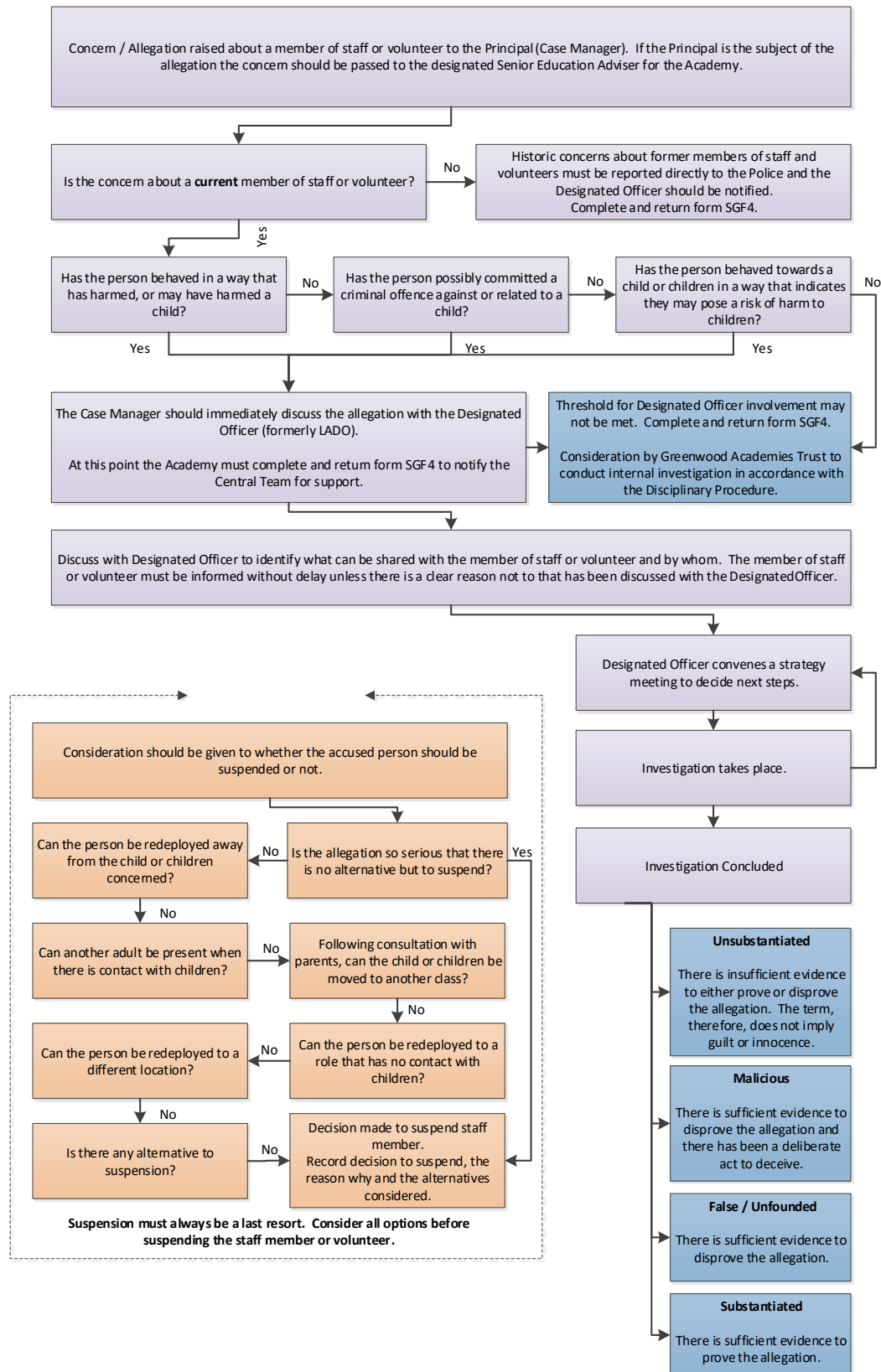
Abuse can be reported no matter how long ago it happened and any disclosures will be taken seriously by Academy and Trust staff.

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.

Appendix 1 –

Summary of Procedure for Managing Allegations against Adults Working within the Trust



Appendix 2 – Concerns that do not meet the harm threshold

Concerns may arise in several ways and from a number of sources. For example: suspicion; complaint or disclosure made by a child, parent or other adult within or outside the organisation, or as a result of vetting checks undertaken.

It is important that our Academies have appropriate processes in place to deal with, record and take appropriate action against these concerns to ensure that all children remain safeguarded across the Trust.

Low Level Concerns:

Any concern of any description regarding any adult working within the Trust should be reported to the Principal immediately as part of the Academy open and transparent culture and ethos.

Providing a culture in which all concerns are shared responsibly and with the relevant staff, recorded and dealt with appropriately is critical to ensuring an open and transparent culture to enable us to identify concerning, problematic or inappropriate behaviour early, minimising the risk of abuse to any of our students and ensuring that all adults working with the Trust are clear about professional boundaries and act in accordance with these.

A low level concern is not an insignificant concern, it simply means that the behaviour towards a child does not meet the harm threshold as set out in this policy and therefore does not require LADO intervention.

It is any concern, no matter how small and even if it causes no more than a sense of unease or 'nagging doubt' that an adult working within the Trust may have acted in way that

- is inconsistent with the staff code of conduct (including inappropriate conduct outside of work); and
- does not meet the allegation threshold or is otherwise not considered serious enough for a referral to the LADO

Examples of such behaviour could include:

- being over friendly with students;
- having favourites;
- taking photographs of students on a personal device;
- engaging with a student on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating or offensive language

****It is important to remember that any concern should firstly be discussed with the LADO to determine whether the harm threshold has been met – this is not a decision that Principal's or DSL's can make without consultation.****

All low level concerns will be recorded in writing by the DSL (or Deputy) and will include details of the concern, the context in which the concern arose, the action taken and the name of the person sharing the concern. These must be held confidentially, securely and in line with GDPR regulations.

Records should be reviewed by the Principal and DSL in order for any patterns of concerning, problematic or inappropriate behaviour can be identified. If concerns require action this should be through the LADO or People Directorate in consultation with the Safeguarding Directorate and harm threshold procedures applied.

Appendix 3 – Key Responsibilities of the Local Authority Designated Officer

- To coordinate the safeguarding and investigative process in response to allegations made against people working with children.
- To provide advice/guidance to employers or voluntary organisations.
- To liaise with police and other agencies including Ofsted and professional bodies such as the General Medical Council and the Teaching Regulatory Agency.
- To monitor the progress of referrals to ensure they are dealt with as quickly as possible, consistent with a thorough and fair process.
- attendance at or chairing strategy meetings and liaising with Chairs of strategy meetings (if not chairing); and
- To resolve any inter-agency issues.
- To collect strategic data and maintain a confidential database in relation to allegations.
- To disseminate learning from LADO enquiries through the children’s workforce.
- To ensure that measures are in place to prevent further harm or abuse and that where required, referrals are made to the appropriate social care team

Appendix 4 – Useful Contacts

Greenwood Academies Trust

Role	Contact Details
People Directorate	0115 748 3310 people@greenwoodacademies.org
Safeguarding Directorate	0115 748 3262 safeguarding@greenwoodacademies.org

Designated Officers

Nottingham City Council	Nottinghamshire County Council
0115 876 2302 lado@nottinghamcity.gov.uk	0115 977 3921
Northamptonshire County Council	Leicester City Council
01604 364 031 DOReferral@northamptonshire.gcsx.gov.uk	0116 454 2440
Lincolnshire County Council	Central Bedfordshire Council
01522 554674 LSCB_LADO@lincolnshire.gov.uk	0300 300 4833 / 0300 300 8142
Peterborough City Council	
01733 864038 lado@peterborough.gov.uk	

National Contacts

Agency	Contact Details
NSPCC Whistleblowing Advice Line	0800 028 0285
NSPCC Information Service	0808 800 5000
ChildLine	0800 1111
DBS Referral Helpline	0300 020 0190

Appendix 5 - 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...)			

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"/>
Has the person behaved or may have behaved in a way that indicates they may not be suitable to work with children?	<input type="checkbox"/>

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

Case Manager (Principal)	
Role (if not Principal)	
Email Address	

Internal Extension		Mobile	
Nature of concern / incident – Please ensure your report is clear and would be understandable to someone unconnected with the issue			
<i>Please use a continuation sheet if necessary</i>			

Local Authority Designated Officer (LADO) Referral / Discussion (<i>if appropriate</i>)		
Name of Officer		
Date and Time		
Local Authority		
Contact Number		
Email Address		
Agreed Actions		
Who	What	When

Supporting Documents	
LADO Referral	
Continuation Sheet(s)	
Other Statements	
Body Map	
CPOMS Incident ID	

Report Completed By			
Signed			
Date Report Completed		Time Report Completed	
Please send this completed form to safeguarding@greenwoodacademies.org			

Safeguarding Directorate use only		
Received By / Allocated Agent		
Date		
Case ID / Helpdesk Ticket Number		
Notifications to	Senior Education Adviser <input type="checkbox"/>	
	Education Director <input type="checkbox"/>	
	Deputy Chief Executive <input type="checkbox"/>	
	Chief People and Organisational Development Officer <input type="checkbox"/>	
	Senior Safeguarding Adviser <input type="checkbox"/>	
Safeguarding Directorate Actions		
Who	What	When

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 (Principal)			
Role (if not Principal)			
Email Address			
Internal Extension		Mobile	

Report Completed By			
Signed			
Date Report Completed		Time Report Completed	

Please send this completed form to safeguarding@greenwoodacademies.org