



# The Management of Safeguarding Concerns & Allegations about the Conduct of Staff Policy

<b>POLICY CODE</b>	5.8
<b>POLICY NAME</b>	<b>The Management of Safeguarding Concerns &amp; Allegations about the Conduct of Staff Policy</b>
<b>APPROVAL AUTHORITY</b>	Principal
<b>RESPONSIBLE DEPARTMENT(S)</b>	All
<b>REVIEWED ON</b>	Apr 2024
<b>NEXT REVIEW</b>	Apr 2025 (Annual)
<b>DEVELOPED BY/AUTHOR</b>	MSD/HR Manager
<b>RELATED POLICIES</b>	Safeguarding Policy Safeguarding Code of Conduct



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*At the Prince of Wales Island International School, we are committed to providing a safe environment for all children. To keep every child safe, a proactive safeguarding culture is encouraged and all members of our community are expected to share this commitment.*

## **Introduction**

The School is committed to providing the highest level of care for both its children and its staff. It is extremely important that any concern raised about the conduct of a member of staff or allegations of abuse perpetrated by a teacher, or any other member of staff, child or volunteer in our school is managed 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.

This policy is part of the Safeguarding Framework and is designed to ensure that all staff, children and parents or carers are aware of the procedure for the management of concerns and the investigation of allegations of abuse by a member of staff in order that all complaints are dealt with consistently and as efficiently as possible.

Our objective is to have a clear policy outlined which will help children to feel comfortable so that they can voice concerns about any member of staff. Allegations will be reported to the Principal immediately or to the CEO of MTT Learning where the Principal is the subject of an allegation. All allegations will be taken seriously and investigated immediately.

## **Purpose**

The procedure for dealing with concerns and allegations against staff depends upon the situation and circumstances surrounding the allegation. This policy must be followed when dealing with concerns and allegations but may be adapted to each case. This policy will be used alongside the school's Safeguarding Framework to detail the procedures outlined in both for managing an allegation.

Our Safeguarding Framework outlines how "we take every step to ensure that children in our care are protected from all forms of abuse and neglect" to include physical, sexual, emotional and neglect aspects. This policy will be used in any case where it is suspected or alleged that a member of staff or a volunteer at the school has:

- behaved in such a way that may have harmed a child or may have intended to harm a child acted outside of the law in relation to dealings with a child
- behaved in any way that suggests they may be unsuitable to work with children.
- behaved in a way that is harmful to the reputation of the School.

## Timescale

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

- minimise the risk to the child
- minimise the impact on the child's progress
- 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. This policy should be read alongside the Safeguarding Framework, Safeguarding Staff Code of Conduct, and Safeguarding Policy.

## Procedure

### 1. Reporting an Allegation

Staff who are concerned about the conduct of a colleague towards a child - may feel that they are 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 as outlined in all safeguarding training and policy.

Upon receiving a report of concern or an allegation, the Principal will contact the CEO of MTT Learning and together they will decide, in an initial discussion on the basis of all available information, the appropriate level of seriousness of the concern or allegation and whether:

- more information is required; or
- no further actions are needed; or
- a strategy discussion should take place; or
- whether the matter should be dealt with informally in school; or
- there should be immediate involvement of the police or other external agencies

### 2. Strategy Discussion

All allegations concerning a member of staff or volunteer's abuse of children must be the subject of a Strategy Discussion.

Strategy Discussions may involve: The Executive Chairman- MTT, the Chief Executive Officer MTT Learning, the Principal, the School's designated Child Protection Officer. Representatives from other agencies may be invited to the discussion and could include representatives from health, social care agencies and police.

A prescribed agenda and proforma for the Strategy Discussion is attached at Appendix A. All items on this proforma must be explicitly addressed.

When creating the response team and in any communications the Principal must ensure that any sensitivities around conflicts of interest are respected.

### 3. Investigation

An investigation into the allegation is normally conducted by the school. This will be agreed at the Strategy meeting. In very serious or complex and difficult cases, external professional investigators may be employed to conduct the investigation.

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
- 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.

### **Supporting Those Involved**

The person(s) who makes the allegation and the child's 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. A young person over the age of 19 is entitled to insist that his/her parents are not informed, provided the police are not involved, however this should always be a matter of discussion by the school with the young person. If the police or social services (if these services exist locally) 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. There will be a staff member designated 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.

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

Any staff member or adult raising an allegation against a colleague can be assured that this will be treated in confidence.

*The employee*

The School has a duty of care to its employees and will ensure that there is a fair and complete investigative 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 CEO of MTT Learning. 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 CEO of MTT Learning will keep the employee informed of the progress of the case and any other work-related issues.

The employee may need additional support and the school 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.

### **Confidentiality**

The school will make every effort 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. A breach of confidentiality will be taken seriously and may warrant its own investigation.

### **Resignations**

If an employee resigns when the allegation is made against them or during an investigation, the investigation will continue until an outcome has been reached, with or without the employee's cooperation. They will be given full opportunity to answer the allegation.

### **Record Keeping**

A record of all concerns and allegations, including concerns which are considered to be comparatively insignificant, will be kept in separate files within a safe in the Principal's Office. Only the Principal and the CEO of MTT Learning will have the combination or key to the safe.

Where an allegation is found to be malicious, it will be removed from the record of the employee concerned and all records destroyed. For all other allegations, records of investigations and outcomes will be kept in the Principal's safe. The record will be kept indefinitely, including for people who leave the organisation, at least from the date of the allegation.

### **Action on Conclusion of the Case**

On conclusion of an investigation the CEO MTT Learning will call a further meeting. The membership of this meeting will normally be the same as that of the Strategy Meeting. A prescribed agenda for this meeting is found at Appendix B.

The purpose of this meeting is:

- to make a final determination of the outcome of the Investigation
- to determine what disciplinary action, if any, is to take place
- to consider any issues relating to referral to the DBS or other agencies

#### In the case of an unsubstantiated allegation

Where an allegation is proved to be false, the Principal, with support, may seek external support or advice to determine whether the child is in need of support or has been abused by someone else. If a person who is not a child has made the claim, the school may pass the information to the police who may take further action against that person.

If the case is unsubstantiated and it is decided that the employee may return to school after a suspension, provisions will be put in place by the school 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 school, the school will consider what needs to be done to manage the contact between the employee and child.

#### In the case of a substantiated allegation

If the case is substantiated a decision will be made as to the next steps according to the Safeguarding Framework and the local country legal context.

### **After the Case**

No matter what the outcome is of an allegation of abuse against staff, the school will review the case 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.



## Appendices

### Appendix A

#### STRATEGY MEETING

Persons Present:

#### OVERVIEW

1. Brief details of the Allegation
2. What unsuitable behaviour may have taken place
3. What harm may have occurred?
4. What is the jurisdiction of the country?
5. May a crime have taken place?
6. How clear is the current evidence available?
7. Are there any concerns about the reliability of the witness or report?
8. What is the current level of risk to children?
9. What is the level of risk to the reputation of the School?

#### THE IMMEDIATE SAFEGUARDING NEEDS OF ANY CHILDREN INVOLVED

- What actions need to be taken to protect any children affected?
- What immediate needs for support do any children affected have?
- How are these needs to be addressed?

#### INVOLVEMENT OF PARENTS

- Are any of the young persons affected over 19?
- If so, has the young person been asked whether he/she wishes parents to be informed?
- Have the parents of any affected children under the age of 19 been informed?
- Which member of staff is designated to be the point of contact with the parents.

#### SHOULD THE MEMBER OF STAFF BE SUSPENDED?

- Will the continued presence of the member of staff constitute a real and present risk to children?
- Will the continued presence of the member of staff impede the investigation?
- Will the suspension of the member of staff harm the education of children?
- Will the reaction of the community to the presence of the member of staff in the school affect the handling of the situation?
- Will the presence of the member of the staff in the school be detrimental to the reputation of the school?
- Will the suspension of the member of staff render the successful outcome of the investigation less likely?



- What decision has been made?

#### THE INVESTIGATION

- Should external, professionally qualified investigators be commissioned to investigate the allegations? Why?
- Should the school investigate the allegations? Why?
- Should the school investigate the allegations with the support of DCI officers? Which officers?
- List the witnesses and others from whom witness statements need to be taken
- Have there been any other previous records of concern? What are these?
- How will confidentiality be preserved?

#### SUPPORTING THE MEMBER OF STAFF

- What present needs of support does the member of staff have?
- How are these to be addressed?
- What present needs of support does the member of staff's family have?
- How are these to be addressed?



## Appendix B

### **CONCLUDING MEETING**

PERSONS PRESENT:

NAME OF MEMBER OF STAFF AGAINST WHOM AN ALLEGATION HAS BEEN MADE:

OUTCOME OF THE INVESTIGATION:

Is the allegation:

- Substantiated
- Malicious
- False
- Unsubstantiated

### RECOMMENDATIONS

What are the recommendations of the Investigator's Report? Detail each recommendation and whether it is to be accepted or rejected and who is responsible to taking the actions required. In the case of rejection, clearly state the reasons for this.

#### RECOMMENDATION 1

Accepted/ Rejected

Person responsible for execution of recommendation.

#### RECOMMENDATION 2

Accepted/ Rejected

Person responsible for execution of recommendation.

#### RECOMMENDATION 3

Accepted/ Rejected

Person responsible for execution of recommendation.

Should any further actions be undertaken? (If recommendations have not covered this, consideration should be given to whether there should be referral to the DBA and to investigating whether the regulations relevant to association under the Disqualification under the Childcare Act (June 2016) apply).

### RETURN TO SCHOOL FOLLOWING SUSPENSION

- If the member of staff is to return to school following suspension, what arrangements are to be put in place to ensure a smooth transition?
- Is the child who made the allegation still at school? If so, what needs to be done to manage the contact between the employee and the child?



#### RECORD KEEPING

- Has the Record of Concern paperwork been completed?
- Has a full report of the investigation been completed?
- Where will the file relating to this allegation be stored?



Appendix C

**Confidential Record of an alleged safeguarding concern against an adult**

*To be completed by the Principal only*

**Name of Principal:**

**Name of Adult:**

**Position in School:**

**Date:**

**Nature of Concern:**

*What prompted this record? (Please include dates, times, incidents, discussions, observations, behaviours)*

**Notes:**

*Any additional information*

**Does the concern relate to any of the following?**

- Has the adult behaved in any way, which has harmed, or may have harmed a child in or outside school?
- Have they possibly committed a criminal offence against or related to a child in or outside of school?
- Have they behaved towards a child in any way, which indicates that they are unsuitable to work with children and may have abused the trust of a child in or



outside of school?

Please identify role of adult who is cause for concern:

**Has this information been passed to CEO, MTT Learning?**

*(Please give details) If not, please record reasons why.*

**Further Action:**

*(Please keep a record of all activities on this case until closed in Record of Activity section below)*

**Signature (Principal):**

**Date:**

**Record of Activity**

Date	Comments	Action

*This form, and any documents relating to the case, should be stored by the Principal and CEO, MTT Learning (if the allegation is against the Principal) in a separate secure file in a safe from any other CP records.*