

## **MANAGEMENT OF ALLEGATIONS OF ABUSE**

(Including related suspension and investigation details)

- For the Manual of Personnel Practice – Portsmouth

### **1. INTRODUCTION**

- 1.1. This document must be used by the Headteacher/Chair of Governors when any allegation in connection with a safeguarding issue is made against an employee.

An allegation may relate to a person who works with children who 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 towards a child or children in a way that indicates they may pose a risk of harm to children.

- 1.2. This document relates to all employees in schools. It also includes employees working with children in the Local Authority. In the case of employees in the Local Authority who do not have a Headteacher, normal management structures within their place of work will apply throughout and where applicable, the Local Authority Formal Action policy will apply. It also relates to casual staff and supply teachers in respect of the initial procedure to follow and action to take but not where reference to the disciplinary policy and procedure/formal action policy is made.

- 1.3. Any reference to the Director of Children's Services throughout this document should be understood to mean the Director of Children's Services or his/her designated representative.

- 1.4. If an employee resigns, this must not prevent an allegation being followed up. If applicable, the disciplinary procedure must continue, without the employee being present if necessary. A conclusion should always be reached wherever possible. Settlement agreements must not be used where an allegation in connection with a safeguarding issue has been made and would not override the statutory duty to make a referral to the Disclosure and Barring Service (DBS) or the National College for Teaching and Leadership where applicable.

## 2. PROCEDURE

- 2.1. All allegations in connection with a safeguarding issue must be reported immediately to the Headteacher or in the absence of the Headteacher, the Chair of Governors.

If the Headteacher is the subject of the allegation or concern, the report must be made to the Chair of Governors.

- 2.2. If a school is informed of an allegation in connection with a safeguarding issue, the Local Authority Designated Officer (LADO) must be informed **immediately** even if it appears to be of a less serious nature. This must be done within one working day.

The LADO is the person involved in the management and oversight of individual cases relating to allegations in connection with a safeguarding issue. The LADO provides advice and guidance to employers, liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

**This document must be followed in conjunction with the referral to the LADO, the Advice and Guidance on the Management of Allegations found in the Education Welfare Service Guidance for Schools folder and contact with the Police and Social Care where advised by the LADO.**

- 2.3. The LADO will discuss the matter with the Headteacher/Chair of Governors and will arrange a multi-agency strategy meeting to decide the course of action to follow.
- 2.4. The Headteacher/Chair of Governors and the LADO will discuss who else will need to be made aware of the allegation.
- 2.5. The Headteacher/Chair of Governors are advised to consult with the Schools HR Team. In the case of an aided school the Headteacher should also consult with the Chair of Governors.
- 2.6. In some cases, the police may advise the school that they wish to interview the employee before the Headteacher/Chair of Governors initially informs the employee of the allegation or suspends the employee. The Headteacher/Chair of Governors will discuss this with the LADO.

Any school investigation and possible disciplinary proceedings should be held in abeyance until confirmation has been provided from the police/social care that school enquiries can proceed.

- 2.7. Once police/social care have confirmed that school enquiries may proceed, the LADO and the Headteacher/Chair of Governors will

discuss the next stage and if necessary an internal investigation may take place which may lead to disciplinary action.

- 2.8. If the allegation involves IT, the Internet and Electronic Media Policy and Guidance and associated IT Appendix 1 – "The procedure for very serious breaches" must also be followed.
- 2.9. If the allegation is determined to be false, unfounded or malicious the Headteacher/Chair of Governors and LADO will consider the options available depending on the nature of the case. This may include referral to social care and/or contacting the Schools HR Team for advice.

### **3. INFORMING THE EMPLOYEE OF THE ALLEGATION**

- 3.1. The decision relating to when to inform the employee about the allegation will be made by the Headteacher/Chair of Governors in discussion with the LADO and if necessary, once the police and/or social care have agreed that it is suitable and agreed what information can be disclosed.
- 3.2. The employee should be informed of the allegation as soon as possible after the decision in 3.1 above is made and agreed.
- 3.3. Once the employee has been informed of the allegation(s) the employee should be provided with a copy of this document.
- 3.4. The Headteacher/Chair of Governors should advise the employee to contact their Trade Union.
- 3.5. Section 4 – Consideration of suspension should then be followed.
- 3.6. **In some circumstances whilst suspension is being considered, the employee may be asked to leave the workplace or an alternative will be suggested whilst the decision regarding suspension is made. This should not be considered as formal suspension.**

### **4. CONSIDERATION OF SUSPENSION**

- 4.1. The decision relating to suspension and which meeting option 1 to 3 to use (as described in para 4.14 to 4.16) will be made by the Headteacher/Chair of Governors in discussion with the LADO with information from the police and/or social care where applicable.
- 4.2. The Headteacher/Chair of Governors is advised to consult with the Schools HR Team. In the case of an aided school, the Headteacher should also consult with the Chair of Governors.

- 4.3. The employee should be provided with a copy of this document.
- 4.4. Suspension should be considered in any case where
- there is cause to suspect a child is at risk of significant harm, or
  - the allegation warrants investigation by the police, or
  - it is so serious that it might be considered grounds for dismissal, or
  - the investigation may be affected by the presence of the employee.
- 4.5. If suspension is necessary, this is the responsibility of the Headteacher or the Governing Body. Only the Governing Body may end the suspension. Each must inform the other and the Director of Children's Services/designated representative from HR if any suspension is imposed or lifted. The suspension should be confirmed in writing to all concerned above with a brief report made to the Governing Body. Minimum information must only be given to the Governing Body in order to avoid prejudicing their impartiality in any subsequent hearing or appeal in possible disciplinary proceedings.
- 4.6. Suspension is a serious matter which should only be imposed after careful consideration. It does not indicate belief in the person's guilt, and must never be taken as an assumption of guilt. It should be made clear to the employee and other members of staff if appropriate that the suspension is not a disciplinary sanction but is used to ensure a fair procedure.
- 4.7. Any period of suspension must be kept under close review by the Headteacher/Chair of Governors to ensure that it is not unnecessarily protracted.
- 4.8. All employees will be paid under the terms of their contract of employment during any period of suspension. Supply teachers and casual staff are not normally entitled to payment during this period, but schools should contact the Schools HR Team for advice regarding the individual's specific circumstances.
- 4.9. Before making a decision regarding formal suspension, full and careful consideration is needed. The following should be considered:
- Are there reasonable grounds for using suspension?
  - Is the allegation in connection with a possible criminal offence?

- Is there a potential threat to the school, staff or pupils?
  - What are the implications of suspension for the employee? What case has the employee made against suspension? What support could be considered for the employee?
  - Is suspension necessary for a proper investigation of the allegation?
  - Have alternatives been considered?
  - Would moving the employee, remove the need for suspension? Is moving the employee suitable?
- 4.10. Alternatives to suspension may include paid leave of absence or mutual agreement to refrain from work, alternative work, possibly in another location (although, relocation is not generally possible in schools but should be considered) or where possible, providing an assistant or colleague to be present when in contact with children.
- 4.11. It may be appropriate depending on the circumstances of the individual case to move the employee to a different location within the school or to another school rather than imposing suspension. This would only occur in very limited circumstances after careful consideration. It would be at the discretion of the Headteacher/Chair of Governors (at both schools if a move to another school was being considered) with advice from the Schools HR Team.
- 4.12. The employee should be provided with details regarding support and counselling provision as stated in Section 8.
- 4.13. Options 1 to 3 below shows the action to take once the issue of suspension has been discussed.
- 4.14. Option 1 – Arrange meeting to inform the employee that the initial decision has resulted in no further action**

The meeting should be arranged without unreasonable delay.

If the allegation is demonstrably false, unfounded or malicious, the employee will be invited to a meeting to reiterate/confirm the allegation, the circumstances which led to initial consideration of the allegation and/or suspension (where applicable) and inform them of the fact that no further action will be taken at that time.

The employee may be accompanied by a representative from their Trade Union or a work colleague at this meeting.

Written confirmation of the verbal information should be provided to the employee within one working day.

The letter should clearly state using the following terms that the allegation was false, unfounded or malicious (where appropriate).

A copy of the letter in relation to an allegation that has been determined to have been false or unfounded must be kept on the employee's personal file and a copy sent to the Schools HR Team.

Details of an allegation that has been determined to have been malicious should be removed from a personal file.

The Headteacher/ Chair of Governors and the employee will discuss whether counselling/ informal professional advice is appropriate and Section 8 of this document should be referred to for information.

**4.15. Option 2 – Arrange meeting to inform the employee that the initial decision has resulted in not imposing suspension at this stage of the process.**

4.15.1. The meeting should be arranged without unreasonable delay.

The employee will be invited to a meeting to reiterate/confirm the allegation, the circumstances which led to consideration of suspension and inform them of the decision not to impose suspension at this time.

The employee may be accompanied by a representative from their Trade Union or a work colleague at this meeting.

Section 7 and 8 of this document should be referred to for information regarding support for the employee.

It should be made clear at the outset of the discussion that the meeting is not a disciplinary hearing but is for the purpose of raising a serious matter and that it may lead to further investigation. The nature of the allegation should be made clear.

It is important that the Headteacher/Chair of Governors does not ask for any explanation of behaviour or question the employee at this stage but discusses the process and what will happen next. The discussion is not concerned with examination of the evidence. This is also very important if the Headteacher/Chair of Governors is potentially part of the decision making panel in a disciplinary procedure at a later date, or if the employee is not accompanied.

4.15.2. The employee should be informed verbally of the information as stated in i to iv below. Written confirmation of this information should be provided to the employee within one working day.

- i. Explain the nature of the allegation.
- ii. Inform the employee of the named contact and information regarding Section 7 - 'Keeping the Employee Informed'.
- iii. Provide the employee with the information leaflet 'Information for Employees Facing Allegations in connection with a safeguarding issue' (Appendix 2) or inform the employee that it will be sent to them.
- iv. Advise the employee to contact their Trade Union if they have not already done so.

4.15.3. A copy of the letter should be kept on the employee's personal file.

4.15.4. A copy of the letter should be sent to the Schools HR Team.

**4.16. Option 3 – Arrange meeting to discuss possibility of imposing suspension/or an alternative to suspension (alternatives are described in 4.10)**

4.16.1. If the Headteacher/Chair of Governors come to the conclusion that suspension or an alternative to suspension is likely to be imposed, the employee must be invited to a meeting to discuss the possibility without unreasonable delay.

Although this meeting will be arranged without unreasonable delay, the employee may be asked to leave the workplace or an alternative may be arranged in the short term whilst the meeting is arranged (see 3.6).

The employee should be advised by the Headteacher/Chair of Governors to seek the advice and assistance of their Trade Union or a work colleague if they are not a member, and offered the opportunity of a brief meeting with the Trade Union representative or work colleague before the meeting.

Section 7 and 8 of this document should be referred to for information regarding support for the employee.

At the meeting, it should be made clear at the outset of the discussion that it is not a disciplinary hearing but is for the purpose of raising a serious matter and that it may lead to suspension/or an alternative to suspension and further investigation. The allegation and the circumstances which led to consideration of suspension will be verbally reiterated/confirmed.

It is important that the Headteacher/Chair of Governors does not ask for any explanation of behaviour or question the employee at this stage but discusses the possibility of suspension/ or an alternative to

suspension and the process. The discussion is not concerned with examination of the evidence.

This is also very important if the Headteacher/Chair of Governors is potentially part of the decision making panel in a disciplinary procedure at a later date, or if the employee is not accompanied.

The employee should be given an opportunity at the meeting to make a representation regarding **the suspension** or an alternative to suspension and the implications it may have on them. They must **not** respond to the allegation itself.

A brief adjournment may be necessary before the Headteacher/Chair of Governors make their final decision.

4.16.2. Once the decision is made, the Headteacher/Chair of Governors must recall the employee and their Trade Union representative or work colleague and inform them verbally of the decision as stated in i to vi below. Written confirmation of this information should be provided to the employee within one working day.

- i. Explain the nature of the allegation.
- ii. Inform the employee of the decision, the reasons for the decision and the name of the person who made the decision.
- iii. Inform the employee of the named contact and information regarding Section 7 - 'Keeping the Employee Informed'.
- iv. Provide the employee with the information leaflet 'Information for Employees Facing Allegations in connection with a safeguarding issue' (Appendix 2) or inform the employee that it will be sent to them.
- v. Advise the employee to contact their Trade Union if they have not already done so.
- vi. If the final decision made is to impose suspension, the employee should also be:
  - Informed of the purpose of suspension and the process to be followed.
  - Informed that there is no assumption of guilt and that suspension is not a disciplinary sanction. Notify them that they are entitled to full pay (unless they are a supply teacher or casual staff) and advise them **to**

**contact their Trade Union as soon as possible if they have not already done so.**

- Informed that they should not contact any members of staff at the school to discuss the matter apart from the named contacts and where applicable any senior managers involved in the investigation, as the investigation may be compromised.

*(Please note that this relates to the working relationships within the school and has no bearing or jurisdiction on personal relationships)*

- Informed that where applicable, if they need to contact a member of staff at the school to act as a witness, this should be done initially via the named contact. Further information regarding witnesses can be found in the disciplinary policy and procedure.
- Informed of a colleague contact as described in Section 7.
- Informed that they should not enter the school grounds without prior permission from the Headteacher/Senior Manager or the Chair of Governors in the case of the Headteacher.

4.16.3. The Headteacher must record the rationale and justification for the suspension and include what alternatives to suspension have been considered and why they were rejected.

4.16.4. A copy of the letter should be kept on the employee's personal file.

4.16.5. A copy of the letter should be sent to the Schools HR Team.

## **5. INVESTIGATION - After completion of any police or social care enquiries, investigation or conclusion of case**

5.1. Any school investigation and possible disciplinary proceedings should be held in abeyance until confirmation has been provided from the police/social care that school enquiries can proceed.

5.2. The LADO will retain overall responsibility to monitor the progress of the investigation and provide advice and support when required or requested.

5.3. **The investigation will be held in accordance with the section on investigation in the disciplinary policy and procedure in conjunction with the information held in this document.** The

investigation may lead to possible disciplinary action under the disciplinary policy and procedure.

- 5.4. The employee must be provided with a copy of this document and the Disciplinary Policy and Procedure.
- 5.5. The employee may be accompanied by a representative from their Trade Union or a work colleague at any stage of the process.
- 5.6. The Headteacher/Chair of Governors in conjunction with the LADO should decide who will be the Investigating Officer. This will usually be a Deputy Headteacher or another Senior Manager. The LADO and Schools HR Team can provide advice on suitable alternatives when the investigation is related to the Headteacher or Deputy Headteacher. The Headteacher /Chair of Governors, LADO and the Investigating Officer will decide the scope of the investigation. The Director of Children's Services must be notified in any case relating to the Headteacher.
- 5.7. The investigation should take account of any relevant information obtained in the course of police or social care enquiries, investigations or outcomes.
- 5.8. If, at any stage during the investigation, new evidence emerges which make a referral necessary to social care or to the police, the investigation should be held in abeyance immediately. This referral should be made in conjunction with the LADO. Consideration should also be given again to suspension.
- 5.9. Further information on investigations, taking witness statements, gathering evidence and writing reports is available in the Disciplinary Policy and Procedure and the Guidance for Schools.

#### **5.10. The Investigation Report**

- 5.10.1. The Investigating Officer should present their findings in the form of a written report to the Headteacher/Chair of Governors, within 10 working days (or as soon as practicable thereafter). The findings should clearly state if the allegation is determined to have been false, unfounded, malicious, unsubstantiated or if there is sufficient evidence to substantiate the allegation and the allegation should be heard at a disciplinary hearing.
- 5.10.2. Appendix 3 provides further information on the DfE statutory guidance relating to the definitions which should be used when determining the outcome of allegation investigations.
- 5.10.3. Within 2 working days of receipt of the report, the Headteacher/Chair of Governors should consult with the LADO and decide if a

disciplinary hearing is required in accordance with the disciplinary policy and procedure.

- 5.10.4. If a disciplinary hearing is necessary, it should be held within 15 working days of this decision being made. The Disciplinary Policy and Procedure in the Manual of Personnel Practice will be followed in conjunction with this document.
- 5.10.5. Where no case for a disciplinary hearing has been established, the Headteacher/Chair of Governors should discuss with the LADO what options would be appropriate to support the member of staff. The Headteacher/Chair of Governors should then meet with the employee to discuss this outcome. The discussion should be followed up in writing stating whether an allegation was determined to have been false, unfounded, malicious unsubstantiated if this was the case. A copy of the letter in relation to an allegation that has been determined to have been false, unfounded or unsubstantiated must be kept on the employee's personal file and a copy sent to the Schools HR Team. Details of an allegation that has been determined to have been malicious should be removed from personal files. Further information regarding support available can be found in Section 8 and 10.
- 5.10.6. If the employee is still suspended, the same contacts should be maintained as before as stated in Section 7.
- 5.10.7. If suspension is to be lifted, the Governing Body has responsibility for this action and must immediately inform the Headteacher and the Director of Children's Services/designated representative from HR and follow up formally in writing. The employee must be informed and confirmed in writing as soon as reasonably practicable.

## **6. DISCIPLINARY**

- 6.1. Any disciplinary hearing should be held in line with the Disciplinary Policy and Procedure in Section 3 of the Manual of Personnel Practice.
- 6.2. The absence of any criminal investigation, charge or conviction is not an adequate defence for the employee who is the subject of a disciplinary hearing. There may be evidence contained within the disciplinary investigation which leads the panel to question the suitability of the person to continue to work within a position of trust within the school even when no criminal activity has been identified, a criminal investigation has not led to a charge or a case has been brought before the court but there has been no conviction.
- 6.3. Children should not be expected or asked to attend a disciplinary hearing.

## **7. KEEPING THE EMPLOYEE INFORMED**

- 7.1. The employee should be given a named contact at the school who will keep them or their Trade Union representative up to date on the progress of the case.
- 7.2. If the employee is suspended, a colleague contact should also be provided in order to give information about developments at the school in general but not to discuss the allegation(s) or process.
- 7.3. These contacts should not be the same named contacts supporting any child(ren) involved in the case if applicable.

## **8. SUPPORT**

- 8.1. The School has a duty of care to their employees and should act to manage and minimise the stress that is inherent in any allegation.
- 8.2. An employee is strongly advised to contact a representative from their Trade Union or work colleague for support.
- 8.3. The information leaflet 'Information for Employees Facing Allegations in connection with a safeguarding issue' (Appendix 2) must be provided to the employee.
- 8.4. The Employee Assistance Programme is available to all employees. The employee should be advised of this.

The service can be accessed by contacting 0800 1116 387 or

<http://wellness.rightmanagement.co.uk/workplacewellness-home>

(The unique username for the website is available from the school or the Schools HR Team).

Teachers also have access to the Teacher Support Network on 08000 562 561 or [www.teachersupport.info](http://www.teachersupport.info)

- 8.5. As the process can be very stressful for a member of staff, it is advised that it may be appropriate for them to seek advice from their GP if they feel their health is being affected.
- 8.6. When anyone with a disability is involved in the suspension process or disciplinary process/investigation, reasonable adjustments should be made.

## **9. CONFIDENTIALITY**

- 9.1. Every effort should be made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.
- 9.2. The Headteacher/Chair of Governors (with advice from the LADO, Police, Children's Social Care and Schools HR Team as appropriate) will discuss with the employee and any representative what information if any will be relayed to other members of staff and other parties as appropriate. The LADO may liaise with the Local Authority Communications team. It must be kept in mind that the nature of the allegation(s) and the content of any proceedings are confidential to the parties concerned.
- 9.3. Care must be taken to ensure that all contact with the employee on suspension remains confidential at all times. It must not be assumed that any family member, partner or friend knows about the employee's suspension. Contact arrangements should be agreed with the employee in advance.
- 9.4. The Education Act 2011 introduces reporting restrictions. Schools should be clear about the importance of adhering to these reporting restrictions and should as appropriate make staff/parents/carers aware of the restrictions in the Act which is specified at section 20 of the statutory guidance. The link to the statutory guidance follows.  
<http://media.education.gov.uk/assets/files/pdf/d/dealing%20with%20allegations%20of%20abuse%20october%202012.pdf>

## **10. RETURN TO WORK**

- 10.1. Being the subject of any allegation can be very stressful. There can be loss of confidence at both a personal and professional level. Individuals react differently and the level of support required to help staff continue or resume their careers will vary. Support information is provided in Section 8.
- 10.2. When an employee returns to work, a support plan will be agreed with the employee and their Trade Union representative and should cover professional and emotional needs (for example provision of counselling). The support plan will be reviewed in consultation with the employee.
- 10.3. The employee should have an opportunity to discuss their options with the Headteacher/a Senior Manager or Chair of Governors in the case of the Headteacher.

- 10.4. Depending on the individual circumstances of a case, a phased return and/or provision of a mentor to provide assistance and support in the short term may be appropriate.
- 10.5. When an employee returns to work, the school should consider (where applicable) how an employee's contact with a child who made an allegation can best be managed and what support (if appropriate) the employee will need for this.

## **11. STATUTORY REFERRAL**

- 11.1. Depending on the nature of the allegation and the outcome of the case, a referral may need to be made to the Disclosure and Barring Service (DBS) and/or the National College for Teaching and Leadership.
- 11.2. A referral must be made to the DBS where it is found that the person has harmed or posed/poses a risk of harm to children or vulnerable adults. Further information regarding an DBS referral can be found at <http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/>
- 11.3. A referral may be made to the National College for Teaching and Leadership when a teacher has been dismissed for serious misconduct.
- 11.4. A referral may occur as an outcome of a dismissal. A referral may also be made if an employee resigns and the employer believes that the employee may have been referred if the procedure had been concluded.
- 11.5. Where applicable, the employee should be made aware of the statutory duty to refer.
- 11.6. Where applicable, the employee should be informed in the invite to dismissal hearing letter, of the possible referral which will be subject to the outcome of the hearing. This is so that the employee is made fully aware of the possibility. If a referral is going to occur, it should be confirmed to the employee in the outcome letter.
- 11.7. Settlement agreements must not be used in connection with a safeguarding issue. A settlement agreement does not override the statutory duty to make a referral to the DBS/ National College for Teaching and Leadership where applicable.
- 11.8. The Headteacher or Chair of Governors will discuss the referral with the Schools HR Team. Any referral will be made by the Schools HR Team within one month of conclusion of the case.

## **12. RECORD KEEPING**

- 12.1. When an allegation in connection with a safeguarding issue is initially raised, a log of key events, decisions and actions taken should be commenced by the Headteacher/Chair of Governors and maintained throughout the procedure.
- 12.2. If an employee is suspended, a record should be made of the rationale and justification for suspension, who was involved in making the decision, and details of action taken. It should also include what alternatives to suspension had been considered and why they were rejected.
- 12.3. The school should remove from personal files details of allegations that have been determined to have been malicious. For all other allegations (false, unfounded, unsubstantiated or substantiated), 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 employee's personal file and a copy provided to the person concerned.
- 12.4. Cases in which a safeguarding allegation was proven to be false, unfounded, malicious or unsubstantiated should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unfounded, malicious or unsubstantiated should also not be included in any reference.
- 12.5. Further information regarding record keeping for a disciplinary can be found in the disciplinary policy and procedure.
- 12.6. In the case of allegations in connection with a safeguarding issue, the record and employees personal file should be retained until at least the person has reached Normal Retirement Age or for 25 years after termination of employment depending on which period is longer.
- 12.7. All records and minutes should be treated as confidential and be kept in accordance with the Data Protection Act 1998.
- 12.8. Further details on record keeping can be found in the Disciplinary Policy and Procedure.

## **13. TIMESCALES**

Timescales for suspension should be kept as short as possible but are dependent on various factors. The length of suspension may be determined for example by external enquiries. Police and social care enquiries will take priority over internal procedures such as the

disciplinary procedure, which would normally be held in abeyance pending confirmation from the police/social care that school enquiries can proceed.

#### **14. BACKGROUND DOCUMENTS**

The following documents have been used to compile this document.

- Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (March 2013).

<https://media.education.gov.uk/assets/files/pdf/w/working%20together.pdf>

- DfE Statutory Guidance – Dealing with Allegations of Abuse Against teachers and other staff (October 2012).

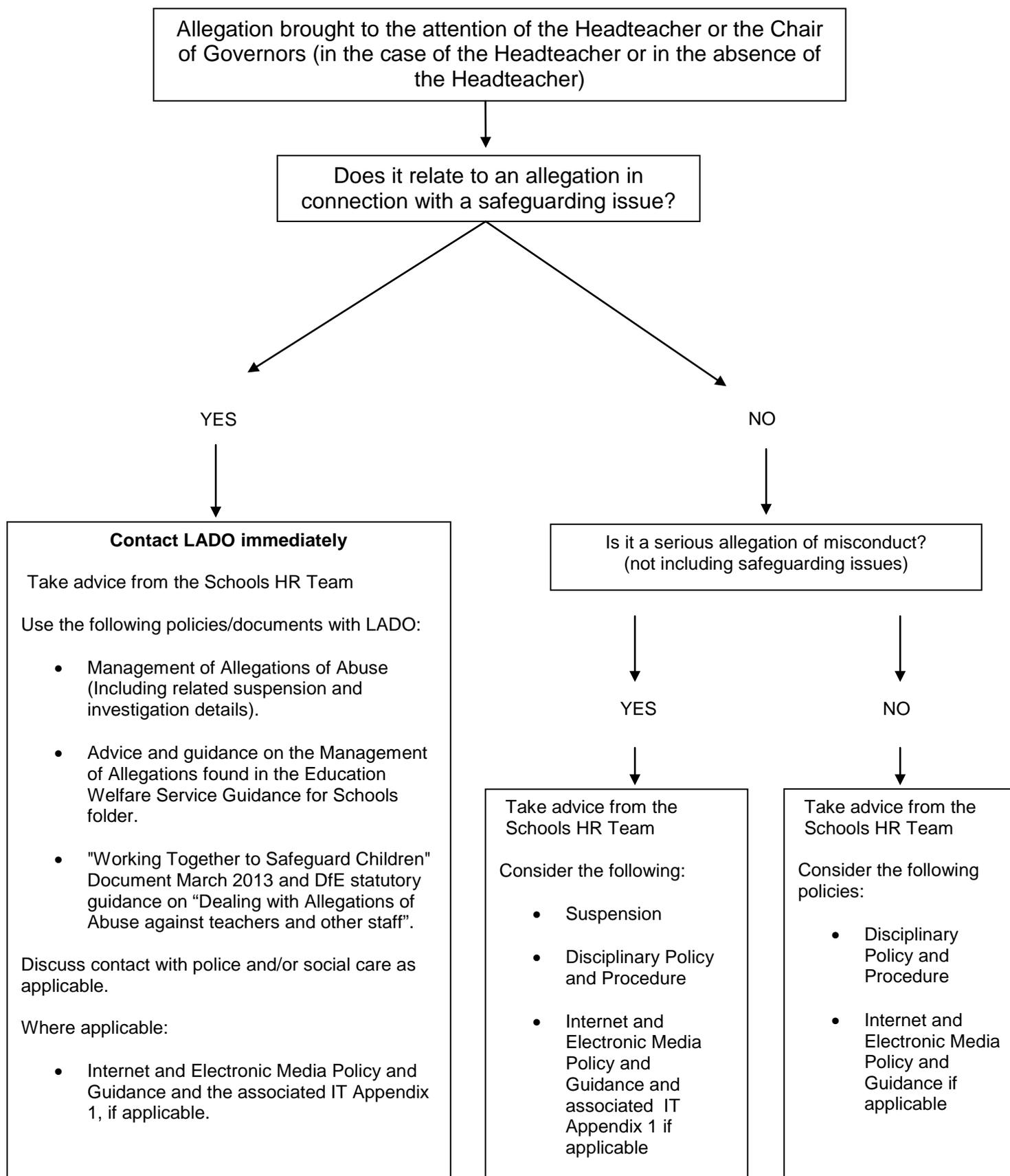
<http://media.education.gov.uk/assets/files/pdf/d/dealing%20with%20allegations%20of%20abuse%20october%202012.pdf>

- School Staffing (England) Regulations.
- ACAS Code of Practice – Disciplinary and Grievance Procedures.

## APPENDIX 1

Employees are advised that they may be accompanied by a trade union representative or work colleague at any stage of the process. This flowchart should be used in conjunction with the full Management of Allegations of Abuse document and/or Disciplinary Policy and Procedure depending on the nature of the allegation.

### ACTION TO BE TAKEN BY HEADTEACHER/CHAIR OF GOVERNORS WHEN AN ALLEGATION AGAINST AN EMPLOYEE IS RAISED



## APPENDIX 2

### INFORMATION FOR EMPLOYEES FACING ALLEGATIONS IN CONNECTION WITH A SAFEGUARDING ISSUE

This information should be read in conjunction with the full management of allegations of abuse document, a copy of which will be provided to you.

#### 1. KEEPING YOU INFORMED

- 1.1. You will be given a named contact at the school who will keep you or your trade union representative up to date on the progress of the case.
- 1.2. If you are suspended, a colleague contact should also be provided in order to give information about developments at the school in general but not to discuss the allegation(s) or process.

#### 2. SUPPORT

- 2.1. You are strongly advised to contact a representative from your Trade Union or a work colleague for support.
- 2.2. The Employee Assistance Programme is available to all employees. The employee should be advised of this.

The service can be accessed by contacting 0800 1116 387 or

<http://wellness.rightmanagement.co.uk/workplacewellness-home>

(The unique username for the website is available from the school or the Schools HR Team).

Teachers also have access to the Teacher Support Network on 08000 562 561 or [www.teachersupport.info](http://www.teachersupport.info)

- 2.3. As the process can be very stressful you are advised that it may be appropriate for you to seek advice from your GP if you feel your health is being affected.
- 2.4. If you have a disability, reasonable adjustments will be made.

## APPENDIX 3

### GUIDANCE – DEFINITIONS WHEN DETERMINING THE OUTCOME OF ALLEGATION INVESTIGATIONS

This information should be read in conjunction with the full Management of Allegations of Abuse document.

Section 8 of the DfE statutory guidance – “Dealing with allegations of abuse against teachers and other staff” states that the following definitions should be used when determining the outcome of allegation investigations.

Link to statutory guidance:

<http://media.education.gov.uk/assets/files/pdf/d/dealing%20with%20allegations%20of%20abuse%20october%202012.pdf>

1.     **Substantiated:**  
there is sufficient identifiable evidence to prove the allegation;
2.     **False:**  
there is sufficient evidence to disprove the allegation;
3.     **Malicious:**  
there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false;
4.     **Unfounded:**  
there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances;
5.     **Unsubstantiated:**  
this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.