

PETERSFIELD INFANT SCHOOL



A STATEMENT OF PROCESSES FOR DEALING WITH ALLEGATIONS OF ABUSE MADE AGAINST STAFF

STATEMENT

Petersfield Infant School takes responsibility for the care of its pupils very seriously. We recognise that any possibility that a member of staff may have hurt a pupil must be investigated thoroughly, but in a way that does not prejudice either the pupil or the member of staff. Any investigation of an allegation of abuse against a member of staff must follow the professional standards and routines described below.

This guidance relates to the following legislation:-

- The Children Act 1989
- Section 175 of the Education Act 2002
- The Children Act 2004

The framework for managing cases of allegations of abuse against people who work with children is set out in Part 4 of 'Keeping children Safe in Education' (2023) which provides an overview of how allegations should be handled.

INITIAL ALLEGATION MADE TO THE SCHOOL

Any allegation that a member of staff has abused a pupil must be reported immediately to the headteacher. Should the allegation be shared with any other member of staff then that member of staff must ensure that the headteacher or deputy headteacher is immediately informed. Should the allegation be made against the headteacher then this should be brought to the attention of the Chair of Governors immediately who will follow the same protocol. ***(This should not be discussed with any other member of staff).***

Should the allegation meet any of the following criteria, then the headteacher should report the allegation to the Local Authority Designated Officer (LADO) the same day that the allegation is received:

A teacher or member of staff (including a volunteer) who has:

- behaved in a way that has harmed a pupil, or may have harmed a pupil
- possibly committed a criminal offence against or related to a pupil
- behaved towards a pupil or pupils in a way that indicates s/he may pose a risk of harm to pupil or pupils, and/or
- behaved towards a pupil or pupils in a way that indicates s/he is unsuitable to work with pupils

INITIAL CONSIDERATION

The procedures for dealing with allegations need to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above at all, or may do so without warranting consideration of a police investigation or enquiries by local authority children's services. The headteacher will discuss the matter with the LADO and provide any further details of the allegation and the circumstances in which it was made. At this stage, the headteacher should not investigate the allegation. The discussion will also consider whether there is evidence or information that establishes that the allegation is false or unfounded. If the allegation is not patently false and there is cause to suspect that a pupil is suffering or is likely to suffer significant harm, the LADO will immediately refer the case to Children's Services and ask for a strategy discussion in accordance with the document **Part 4 of 'Keeping children Safe in Education' (2023)** to be convened straight away. In those circumstances, the strategy discussion should include the LADO, the headteacher and the member of staff involved would be suspended while the investigation took place.

If there is no cause to suspect that 'significant harm' is an issue, but a criminal offence might have been committed, the LADO should immediately inform the police and convene a similar discussion to decide whether a police investigation is needed. That discussion will also involve the school and any other agencies involved with the pupil.

ACTION FOLLOWING INITIAL CONSIDERATION

Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be dealt with by the headteacher. In such cases, if the nature of the allegation does not require formal disciplinary action, the headteacher will take appropriate action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

The headteacher should discuss who will undertake that with the LADO. The investigating officer should aim to provide a report to the headteacher within 10 working days. On receipt of the report of the disciplinary investigation, the headteacher and Chair of Governors should consult the LADO, and decide whether a disciplinary hearing is needed within two working days. If a hearing is needed it should be held within 15 working days.

In any case in which Children's Services have undertaken enquiries to determine whether the pupil or pupils are in need of protection, the headteacher and Chair of Governors should take account of any relevant information obtained in the course of those enquiries when considering disciplinary action.

The LADO should continue to liaise with the school to monitor progress of the case and provide advice or support when required or requested.

CASE SUBJECT TO POLICE INVESTIGATION

If the police 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 headteacher within three working days and the LADO should proceed as described above.

In any case in which Children's Services have undertaken enquiries to determine whether the pupil or pupils 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 to the school and the headteacher should request this information.

REFERRAL TO THE DFE

If on conclusion of the case the school ceases to use the person's services, or the person ceases to provide his or her services, the school should consult the LADO about whether a referral to the DFE is required. If a referral is appropriate, the report should be made within one month.

Staff: January 2024

Govs: January 2024

Non Statutory/resources/annually/web