





**Statement of Intent**

CIT takes its responsibility of care for pupils seriously. We will thoroughly investigate allegations of abuse against

otherwise causing physical harm to a child. Physical harm may also be caused when a parent fabricates the symptoms of, or deliberately induces, illness in a child.

2.2.2. **Emotional abuse:** The persistent emotional maltreatment of a child

development. It may involve conveying to a child that they are worthless, unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to

they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to experience fear, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

2.2.3. **Sexual abuse:** Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by

- 2.4. **Publication:** Any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public.

### **3. Implementation, Roles and Responsibilities**

- 3.1. The People Committee has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. The People Committee has delegated day-to-day responsibility for operating the policy and ensuring its maintenance to the Director of HR.
- 3.2. Managers have a specific responsibility to ensure the fair application of this policy and all members of staff and volunteers are responsible for supporting colleagues and ensuring its success.
- 3.3. The Trust recognises that, as an employer, it has a duty of care to its staff. The Trust will ensure it provides effective support for anyone facing an allegation and will provide the individual with a named contact if they are suspended.
- 3.4. All staff and volunteers





**Procedures**

**8. Reporting Allegations**

- 8.1. All allegations must be reported to the Headteacher of the individual school or the school DSL. On all occasions, the Headteacher/DSL will





the case by a named manager or HR representative. This representative will also consider what other support is appropriate for the member of staff. This could also include support via the Employee Assistance Programme and the member of line manager.

- 10.11. Particular care needs to be taken when staff/volunteers are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues.
- 10.12. Social contact with colleagues must not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence. Staff are reminded that it may become a disciplinary if there is a breach of confidentiality.
- 10.13. Parents or carers of a child or children involved will be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or Police or local authority care services need to be involved, the Headteacher and appropriate body must not do so until those agencies have been consulted and have agreed what information can be disclosed to parents.
- 10.14. Parents and carers will be made aware of their requirement to maintain confidentiality about any allegations made against any member of staff/volunteer while investigations are ongoing and will be advised to seek legal advice if they wish reporting restrictions to be removed.

## **11. Investigation Outcome**

- 11.1. When carrying out the investigation, the Trust will use one of the following definitions to determine the outcome of its investigation into the allegation:

**Substantiated** where there is sufficient evidence to prove the allegation;

**Malicious** where there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;

**False** where there is sufficient evidence to disprove the allegation;

**Unsubstantiated** where there is insufficient evidence either to disprove or prove the allegation. This term does not imply guilt or innocence;

**Unfounded** where there is no evidence or proper basis which supports the allegation being made. This will also be used in circumstances where the allegation related to a misinterpretation of an incident or where the witness was unaware of the circumstances.

- 11.2. When considered necessary, a disciplinary hearing will be held within the next ten working days (or if the matter is referred to the Police or social care services, after their investigation is concluded); and in accordance with the Disciplinary Policy.
- 11.3. The deliberations of a disciplinary hearing, and the information that has been considered to reach a decision, cannot be disclosed.



### **13. Oversight and Monitoring**

- 13.1. The LADO has overall responsibility for oversight of the procedures for dealing with allegations; for resolving any inter-agency issues; and for liaising with the Local Safeguarding Children Partnership LSCP on the subject. The LADO will provide advice and guidance to the Trust, in addition to liaising with the Police and other agencies. LADO will also monitor the progress of cases to ensure they are dealt with in a timely manner and that the cases are consistent with a thorough and fair process.
- 13.2. Reviews will be conducted at fortnightly or monthly intervals depending on the complexity of the case.

### **14. Suspension**

- 14.1. The possible risk of harm to children posed by an accused member of staff needs to be effectively evaluated and managed in respect of the student(s) involved in the allegations.
- 14.2. This may require the Trust to consider suspending the member of staff or volunteer concerned until the case is resolved.
- 14.3. The member of staff leading the investigation at the school/Trust must consider carefully whether the circumstances of the case warrant the member of staff being suspended from contact with children at the school until the allegation is resolved.
- 14.4. Approval for suspension must be gained from the CEO or Director of Education with advice from the central HR team.
- 14.5. Any decision to suspend without pay must be formally agreed by the CEO and HR Director.
- 14.6. The leading member of staff must also consider whether the result that would be achieved by suspensions could be obtained by alternative arrangements; for example, redeployment so that the individual does not have direct contact with the child concerned, or providing an assistant to be present when the individual has contact with children.
- 14.7. This allows time for an informed decision regarding the suspension and possibly reduces the initial impact of the allegation. This will, however, depend upon the nature of the allegation.
- 14.8. Suspension must not be an automatic response when an allegation is reported. If the Trust is concerned about the welfare of other children in the community or the family of the member of staff, those concerns will be reported to the LADO or the Police. However, suspension is highly-unlikely to be justified on the basis of such concerns alone.

14.9. Suspension will only be considered in a case where:

there is cause to suspect a child or other children at a school is, or are,  
at risk of significant harm; or  
the allegation warrants investigation by the Police;  
is potentially so serious that it might be grounds for dismissal;

making enquiries to determine whether the child or children named in the allegation require protection or services. This is to ensure that any relevant information obtained in the course of those enquires can be passed on to the Trust for possible use in a disciplinary case.

- 15.4. Schools and Trust staff will take advice from the Director of HR, the LADO, Police and local authority social care services to agree the following:

who needs to know and, importantly, exactly what information can be shared;  
how to manage speculation, leaks and gossip;  
what, if any, information can be reasonably given to the wider community to reduce speculation; and  
how to manage press interest if and when it should arise. In deciding what information to disclose, careful consideration should be given to the provisions of the Data Protection Act 2018, confidentiality and, where relevant, the Human Rights Act 1998.

## **16. Resignations**

- 16.1. The fact that a member of staff or volunteer tenders their resignation, or ceases to provide their services, must not prevent an allegation being followed up in accordance with these procedures.
- 16.2. It is important that every effort is made to reach a conclusion in all cases of allegations which may have a bearing on the safety or welfare of children, including any in which the member of staff or volunteer concerned refuses to cooperate with the process.
- 16.3. Wherever possible, the member of staff or volunteer concerned must be given a full opportunity to answer the allegation and make representations about it. The process of recording the allegation, gathering supporting evidence, and reaching a judgement about whether the allegation can be regarded as substantiated must continue even if the member of staff or volunteer concerned has not taken the opportunity to answer the allegation or where the member of staff does not cooperate.
- 16.4. It may be difficult to reach a conclusion in the event of the member of staff or volunteer concerned not cooperating and it may not be possible to apply any process is complete. However, it is important to reach and record a conclusion wherever possible.

## **17. Action following a Criminal Investigation or a Prosecution**

- 17.1. The Police or Crown Prosecution Service should inform the Trust and the LADO straight away when/if:
- a criminal investigation and any subsequent trial is complete.  
it is decided to close an







**Supporting those Involved**

**22. Supporting the accused**

- 22.1. The Trust has a duty of care to its employees and will act to manage and minimise the stress inherent in the allegations and disciplinary process. Support for the individual is vital to fulfilling this duty.
- 22.2. Individuals will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection
- 22.3. The individual will be advised to contact their trade union representative, if they have one, or a colleague for support.
- 22.4. The accused will be given access to welfare counselling or medical advice.
- 22.5. The Trust will appoint a representative for the accused (if they have one) to support them throughout the disciplinary process.

