



Procedures to be followed if a student makes an allegation about a member of staff.

All children and young people referred to the Pilgrim PRU have a right to feel safe and be protected from harm during their educational experiences. Pilgrim PRU encourages staff to 'whistleblow' any concerns they may have about the unsafe practice of other staff. The senior leadership team, and the management committee are committed to taking these allegations seriously and will investigate fully in line with the procedures outlined in the policy below.

The underlying principles of this policy and the procedures contained within are:

- The welfare of the child is paramount.
- Pilgrim PRU has a duty of care to their employees. An adult about whom there are concerns should be treated in a fair and consistent way and should be informed as soon as possible and provided with support.
- Allegations should be dealt with without delay.
- Procedures will be applied with common sense and judgement.
- Everyone within Pilgrim PRU has a shared responsibility for safeguarding our pupils.

The Head teacher within Pilgrim PRU will ensure that all staff and volunteers feel able to raise concerns about poor or unsafe practice with regard to children, and such concerns are addressed sensitively and effectively in a timely manner, in accordance with agreed whistle blowing policy, where appropriate.

The Head teacher and Management Committee recognise that it is essential that any allegation of abuse made against a teacher or other member of staff or volunteer within Pilgrim PRU is dealt with very quickly, in a fair and consistent way that provide effective protection for the child and at the same time supports the person who is the subject of the allegation.

What is an allegation?

'Information that might indicate that a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or on any capacity' (Keeping Children Safe in Education, 2016)

This may include:

- Staff member has behaved in a way that has harmed a child/may have harmed a child.
- Staff member who may have committed a criminal offence against or related to a child.
- Staff member who has behaved towards a child/children in a way that indicates he/she would pose a risk of harm if they worked closely with a child.

Pilgrim PRU will minimise the risk of allegations being made by:

- Having stringent recruitment processes.
- Having effective policies and procedures in place, please refer to the staff handbook for 'lone working' and Code of Conduct information.



- Working with staff so that they are aware of how to behave in a professional and measured manner at all times.
- Working with staff to ensure that they are clear on procedures that they must follow and taking appropriate action if these are not adhered to.
- Promoting a respectful and supportive culture within the staff, modelled by Senior Leadership team.
- Having a robust 'Whistleblowing' policy that all staff are aware of and know how to implement.
- All staff being aware that they must not investigate an allegation themselves, but report it immediately to the Head teacher (or the Chair of Management Committee in the case of an allegation against the head).
- Senior Leadership having a commitment to follow up all allegations in a robust and systematic way, applying the procedures with common sense and judgements.
- Maintaining confidentiality.
- Being aware that the member of staff against whom the allegation has been made may also need support.
- Ensuring all staff are aware of the support mechanisms they can access.

Throughout the process, information about the allegation will be restricted to those who have a need to know in order to:

- Protect children.
- Facilitate enquiries.
- Avoid victimisation.
- Safeguard the rights of the person about whom the allegation has been made and others who might be affected.
- Keep all parties informed appropriately.
- Manage disciplinary and the complaints aspect of the allegation.

Pilgrim PRU Management Committee and Senior Leaders recognise that early and correct action can prevent abuse of others, allegations escalating, emotions becoming inflamed, media publicity of the case, individuals being traumatised, staff being demoralised, the reputation of Pilgrim PRU being tarnished and litigation.

Initial considerations

The procedures for dealing with allegations need to be applied with common sense and judgement. Many cases may well either not meet the criteria as set out above, or may do so without warranting consideration of either a police investigation or enquiries by Cambridgeshire Social Services. In these cases, local arrangements will be followed to resolve cases without delay.

Advice will be sought from the Designated Officer (DO) at the Local Authority, in all cases that appear to meet the criteria

However, an allegation may be so serious, it may require immediate intervention by children's social care and/or police. The DO will be informed.

The following definitions will be used when determining the outcome of allegation investigations:



- a) *Substantiated* – there is sufficient identifiable evidence to prove the allegation.
- b) *False* – there is sufficient evidence to disprove the allegation.
- c) *Malicious* – there is clear evidence to prove that there has been a deliberate act to deceive and the allegation is entirely false.
- d) *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 of the circumstances.
- e) *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.

Steps to manage allegations

1. Head teacher/chair of Management Committee discuss allegation with the DO without delay. This initial discussion will consider the nature, content and context of the allegation.
2. Head/Chair and DO agree a course of action.
3. Case manager to inform accused person about the allegation as soon as possible after the discussion with the DO. Case manager will provide accused person with as much information as possible, provided other agencies have been informed if necessary.
4. Careful consideration will be given to whether the circumstances of a case warrant a person being suspended from contact with children within Pilgrim PRU or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension should be considered prior to taking that step.
5. DO may ask case manager to provide or obtain relevant additional material, such as previous history, whether a child or their family have made similar allegations and the individual's current contact with children. There may be situations when the case manager will want to involve the police immediately e.g. if the person is deemed to be an immediate risk to children or there is evidence of a criminal offence. This will form part of the initial discussion.
6. Initial sharing of information and evaluation may lead to a decision that no further action to be taken in regard to the individual facing the allegation or concern. If this is the situation, the case manager and DO will record the agreement reached and the information on which the decision was based.
7. Case manager and DO to consider what action should follow both in respect of the individual and those who made the initial allegation.
8. Next steps depend on the nature and circumstances of the allegation and evidence and information available. This may range from no further action to dismissal or a decision not to use the person's services in the future. Suspension will not be the default position and will only be used if there is no reasonable alternative.
9. In certain circumstances it may be necessary to appoint an independent investigator. This would be provided through the Local Authority.

Supporting staff involved in allegations

Pilgrim PRU recognise that they have a duty of care to their employees and as such will act to manage and minimise the stress inherent in the allegations process. Individuals will be supported. They will be informed of concerns/allegations as soon as possible, with information about the



possible course of action. Staff will be advised to contact their union representative or colleague to provide them with support. Information about Employee Assist counselling services will also be provided.

The case manager will appoint a named representative to keep the person subject to the allegation informed of the progress of the case and to consider any support required. Particular care will be taken when employees are suspended and social contact with colleagues will not be prevented unless there is evidence to suggest that such contact would be prejudicial to the gathering and presentation of evidence.

Supporting parents/carers

The parents/carers of a child involved should be told about the allegation as soon as possible if they are not already aware. However, the case manager may have to consult other agencies first in some circumstances. Parent/carers should also be kept informed about the progress of the case, and the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. Parents/carers will also be made aware of the prohibition on reporting or publishing allegations about teachers in section 141F of the Education Act 2002.

Supporting children and young people

The nursing team and the multi disciplinary team will support the child and contact Children's Social Care Services, or the police as appropriate.

Confidentiality

Pilgrim PRU recognises that it is extremely important to make every effort to maintain confidentiality and guard against unwanted publicity when an allegation is made. The Education Act 2011 introduced reporting restrictions which apply until the point that the accused person is charged with an offence or information about an investigation is published by the Secretary of State. The restrictions also cease to apply if the individual waives their right to anonymity by going public themselves.

If a parent publishes details of the allegations on a social networking site they would be in breach of the reporting restrictions.

In accordance with police guidelines, the police will not normally provide any information to the press or media that might identify an individual who is under investigation.

The case manager will take advice from the DO, police and Social Care Services to agree who needs to know and 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.

Record keeping

A clear and comprehensive summary of the allegations, details of its follow up and resolution and notes of actions taken with decisions reached will be kept on the confidential file of the accused person, and a copy provided to the person concerned. If the allegation was malicious, it will be removed from the records.



Timescales

It is in everyone's best interest to resolve cases as soon as possible consistent with a fair and thorough investigation and all allegations will be investigated as a priority to avoid any delay.

Oversight and monitoring

The DO has overall responsibility for oversight of the procedures for dealing with allegations, for resolving inter-agency issues and for liaison with the Cambridgeshire Safeguarding Children Board on the subject. They will also provide advice and guidance to the case manager.

Suspension

The possible risk of harm to children posed by the accused person will be evaluated and managed in respect of the children involved in the allegations. Only in rare cases, will suspension of the accused be considered until the case is resolved. Suspension is not an automatic result of an allegations: all options to avoid suspension will be considered prior to taking that step.