



Bright Futures

EDUCATIONAL TRUST

The best *for* everyone, the best *from* everyone

Managing Allegations Against Staff

TRUST WIDE POLICY STATEMENT

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MANAGING ALLEGATIONS AGAINST STAFF

Bright Futures Educational Trust's (the Trust) Strategy underpins all aspects of this policy and the way in which it will be applied. These elements are:

- Our vision, the best **for** everyone and the best **from** everyone;
- Two of our values; Integrity: We do the right things for the right reasons and Passion: We take responsibility, work hard and have high aspirations;
- Seven of our commitments: Collaboration and strong relationships; professional learning; supportive, challenging and fair; strong governance and accountability, united behind decisions, equality, diversity and inclusion and effective communication.

All schools aim to create and maintain a safe learning environment where all children/young people and adults feel safe, secure and valued and know they will be listened to and taken seriously. The Trust is committed to this and implements policies, practices and procedures which promote safeguarding and the emotional and physical well-being of children, young people and staff. Allegations against staff and workers must be taken seriously and this policy statement along with the supporting procedures and measures held by each school in the Trust, will help schools to prevent and respond to allegation as part of their overall approach to safeguarding.

Definitions

This policy statement, the Trust's Disciplinary Policy and Procedure and Part 4 of Keeping Children Safe in Education provide a framework for managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children/ young people in their present position, or in any capacity.

The Trust will adhere to Part 4 "Allegations made against/Concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors" of Keeping Children Safe in Education and any subsequent updates to it. This part of the statutory guidance is split into two parts:

1. Allegations that may meet the harms threshold.
2. Allegation/concerns that do not meet the harms threshold – referred to for the purposes of the guidance as 'low level concerns'.

Schools must have regard to the statutory guidance when carrying out their duties to safeguard and promote the welfare of children. This means that they should comply with it unless exceptional circumstances arise.

In terms of allegations that may meet the harms threshold:

The guidance should be used in respect of cases in which it is alleged that a teacher or worker (see below) in a school or college that provides education for children/ young people irrespective of the age of the student:

- behaved in a way that has harmed a child/ young person, or may have harmed a child/ young person;
- possibly committed a criminal offence against or related to a child/ young person; or
- behaved towards a child/ young person or children/ young people in a way that indicates he or she would pose a risk of harm to children/ young people.
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Note: the guidance places a new responsibility on schools to support the correct process where non-employed staff are implicated (section 356 onwards, page 84).

In terms of allegations/concerns that do not meet the harms threshold:

As part of their whole school approach to safeguarding, schools should ensure that they promote an open and transparent culture in which all concerns about all adults working in or on behalf of the school are dealt with promptly and appropriately. The statutory guidance provides advice on handling 'low level

concerns' which it defines as: "...any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school ... may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO"

Who is the Policy for?

Staff who are currently working (employed or through an agency/contractor or volunteers) in any school or college regardless of whether the school or college is where the alleged abuse took place.

Allegations against a teacher who is no longer teaching should be referred to the police. Historical allegations of abuse should also be referred to the police.

Aims

The aims of this policy statement and its supporting procedures and measures are to:

1. To provide additional guidance to support the Trust's Disciplinary Policy and Procedure, which details the approach to be taken for any disciplinary investigation and resulting procedure.
2. To create an environment that prevents staff from behaving in a way that harms a child/young person, or may harm a child/ young person; possibly committing a criminal offence against or related to a child/ young person; or behaving towards a child/ young person or children/ young people in a way that indicates he or she would pose a risk of harm to children/ young people.
3. Provide a clear guidance framework under which to investigate allegations of a safeguarding nature.
4. Provide a quick resolution when any allegation is made against a member of staff, to the benefit of all.
5. Provide a duty of care to all adults employed by the Trust and ensure they are treated fairly, honestly and provided with appropriate support.

Other relevant Policies and Links

- [Keeping children safe in education 2021 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/90121/keeping-children-safe-in-education-2021.pdf)
- Schools' Child Protection and Safeguarding policy (Trust template is on Bright Futures' website)
- The Trust's Disciplinary Policy and Procedure
- The Trust's Safer Working in Bright Futures' schools- which sets out the code of conduct and expected behaviours.