

## **Safeguarding Children: procedures to be followed in cases of allegations of abuse made against staff**

### **1 Allegations about a member of staff**

In rare instances staff in educational institutions including colleges have been found responsible for child abuse. Because of their frequent contact with children and young people, staff may have allegations of child abuse made against them. The College recognises that such allegations may or may not be true. Those dealing with such an allegation should maintain an open mind and ensure that investigations are thorough and not subject to delay. They will also need to handle the situation with sensitivity and to act in a careful, measured way

#### **1.1 Receiving an allegation from a young person**

A member of staff who receives an allegation about another member of staff from a young person should follow the guidelines set out in this document

If the allegation is against a member of staff who is not a senior post-holder, the Designated Safeguarding Person (Senior Tutor) should be informed as soon as possible, who in turn should inform the College Principal.

If the member of staff against whom the allegation is made is a senior post-holder, i.e. if an allegation is made against the Principal, Deputy Principal, the Director of Finance or the Clerk to the Corporation, the matter should be reported to the nominated Corporation member. Where the allegation is against a senior post-holder other than the Clerk to the Corporation, the nominated Corporation member should be contacted through the Clerk to the Corporation. Where the allegation is against the Clerk to the Corporation, the nominated Corporation member should be contacted through the Principal.

The Designated Safeguarding Person or nominated Corporation member should: -

- Obtain written details of the allegation, signed and dated, from the person who received it;
- The written details should be countersigned and dated by the Designated Safeguarding Person or the nominated Corporation member;
- Record information about times, dates, locations and names of potential witnesses.

## **1.2 Initial Assessment by the Designated Safeguarding Person or nominated Corporation member**

The Designated Safeguarding Person or nominated Corporation member should make an initial assessment of the allegation, consulting with Local Safeguarding Children Board as appropriate. Where the issue, about which an allegation is made, is considered to be either a potential criminal act or indicates that the young person has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the Local Safeguarding Children Board.

It is important that the Designated Safeguarding Person or the nominated Corporation member does not investigate the allegation. The initial assessment should be on the basis of the information received and is a decision whether or not the allegation warrants further investigation

Other potential outcomes are: -

- The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the young person. The matter should be referred to the Personnel Manager to be addressed in accordance with the Staff Disciplinary Procedure or Senior Post-holder Disciplinary Procedure, as appropriate.
- The allegation can be shown to be false because the facts alleged could not possibly be true

## **1.3 Enquiries and investigations**

Child protection enquiries by social services or the police should not be confused with internal disciplinary enquiries by the College. The College may be able to use the outcome of external agency enquiries as part of its own procedures. The child protection agencies, including the police, have no power to direct the College to act in a particular way. However, the College should assist the agencies with their enquiries.

The College should hold in abeyance its own internal enquiries while the formal police or social services investigations proceed: to do otherwise may prejudice the investigation. No internal enquiries, including those resulting from disciplinary proceedings, should be instigated until the external investigations are completed. During external investigation, suspension of a member of staff may be appropriate. Any suspension would take place at the discretion of the Principal, according to the Staff Disciplinary Procedures. Where the person being investigated is the Principal or another senior post-holder, suspension, where appropriate, would take place at the discretion of the Chair of Corporation or, in his absence, the Vice-Chair of Corporation, as required by the Articles of Government and the Senior Post-holder Disciplinary Procedure.

If there is an investigation by an external agency, for example the police, the Designated Safeguarding Person or nominated Corporation member should

normally be involved in and contribute to the inter-agency strategy discussions. The Designated Safeguarding Person or nominated Corporation member is responsible for ensuring that the College gives every assistance with the agency's enquiries. He will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The Designated Safeguarding Person or nominated Corporation member shall advise the member of staff that he/she should consult with a representative, for example, their professional association.

Subject to objections from the police or other investigating agency, the Designated Safeguarding Person or nominated Corporation member shall: -

- inform the young person or parent/carer making the allegation that the investigation is taking place and what the likely process will involve
- ensure that the parents/carers of the young person making the allegation have been informed that the allegation has been made and what the likely process will involve
- inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve.
- Keep a written record of the information in connection with the allegation
- Inform the Personnel Manager of the outcome of any external investigation to allow any internal investigation or action to be commenced.

#### **1.4 Action by the College**

On completion of any external investigation, the College will consider whether any action needs to be taken.

#### **1.5 Maintaining records of allegations**

As regards personnel records, whether or not an allegation is found to be founded, a record that an allegation was made; a summary of that allegation; that it was investigated and the outcome of that investigation, should be kept for a period of six years as a separate file.

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