



Allegations of Abuse Against Staff Policy

**December 2023
Review December 2025**

Introduction

This Policy must be read and implemented alongside the School's Child Protection and Safeguarding Policy

Exceptional Ideas Ltd works to comply with Essex County Council's procedures on Safeguarding Children and liaises with the designated Child Protection officer based at;

The Safeguarding Children Team,
Essex County Council,
Wood street,
Chelmsford,
Essex
CM1 1LX.

Where the allegation involves a student not resident in Essex then their local Safeguarding team will also be contacted.

Exceptional Ideas Ltd takes its responsibility of care for its students seriously and fully endorses the guidance of the Keeping Children Safe in Education strategy. We recognise that any possibility that a member of staff may have hurt a student must be investigated thoroughly, but in a way that does not prejudice either the student or the member of staff. Any investigation of an allegation of abuse against a member of staff must follow the objective, professional standards and routines described here.

Initial Allegation made to the school

Any allegation of abuse by an adult on a student must be reported to a Director. Should the initial allegation first be made to any other member of staff then that member of staff must either request the person raising the allegation to report it to a Director, or if that is not possible, to pass details of the allegation to a Director immediately.

Should the allegation be made against a Director then this should be brought to the attention of the other Director immediately.

Should the allegation meet any of the following criteria then the Director should report the allegation to the local authority designated officer within one day of the allegation being received and prior to any further investigation taking place:

A teacher or member of staff (including a volunteer) working for Exceptional Ideas Ltd that provides education for children under 18 years of age who has:

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

Initial Consideration

The Director will consider all moves necessary to ensure the ongoing safety of the child concerned and other children in the school or working with Exceptional Ideas Ltd. These steps will be implemented immediately and may include the suspension of the member of staff from work until the situation is investigated, either internally or externally and an appropriate decision is made as to the route to follow. If it is felt that removing the member of staff in either the short or long term from working with children will remove any ongoing danger, then the Director will investigate the allegation. This may include referral by the Headteacher to the Designated Officer with the local authority (previously known as Local Authority Designated Officer) and any other relevant authorities regarding any ongoing danger to young people. The Director will then investigate the allegation through the Disciplinary Process and open a Record of Concern for Safeguarding with the young person concerned. In discussion with the Senior Student Mentor with responsibility for Safeguarding, the Director will also consider whether there is evidence or information that establishes that the allegation is proven or falsely made.

If the allegation is not patently false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the Safeguarding Lead will immediately refer to children's social care and ask for consultation.

If there is not cause to suspect that "significant harm" is an issue, but a criminal offence might have been committed, the Safeguarding Lead 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 child.

Action following initial consideration

Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the Director to deal with it. In such cases, if the nature of the allegation does not require formal disciplinary action, the Director should institute 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.

Every effort will be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered. Apart from keeping the child, parents and accused person (where this would not place the child at further risk) up to date with progress on the case, information should be restricted to those who have a need to know in order to protect children, facilitate enquiries, manage related disciplinary or suitability processes.

Where further investigation is required to inform consideration of disciplinary action the Director should discuss who will undertake that with the Safeguarding Lead, who may well conduct the investigation.

The investigating officer should aim to provide a report to the employer within 10 working days.

On receipt of the report of the disciplinary investigation, the Director should consult the local authority designated officer 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 social care has undertaken enquiries to determine whether the child or children are in need of protection, the Director should take account of any relevant information obtained in the course of those enquiries when considering disciplinary action.

The local authority designated officer 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 and/or CPS 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 Director within three working days of the decision. In those circumstances the Director and the local authority designated officer should proceed as described above.

In any case in which children's social care has undertaken enquiries to determine whether the child or children 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 Director should request this information.

Referral to 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 local authority designated officer about whether a referral to outside agencies is required. If a referral is appropriate the report should be made within one month.

Low level concerns

Some low levels concerns may not meet the threshold to be considered harmful to students but may be indicative of a possible harm towards children in the future if left to continue. These are concerns that do not currently meet the threshold for either disciplinary action or referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children,
- having favourites,
- taking photographs of children on their mobile phone, contrary to school policy,
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating students.

Exceptional Ideas Ltd encourages reporting of low level concerns through the usual child protection referral process.

We recognise that some of these behaviours may be inadvertent, thoughtless or misconstrued but it is crucial that all low-level concerns are shared responsibly with the right person and recorded and dealt with appropriately to prevent escalation in the future. Exceptional Ideas Ltd encourages reporting of low level concerns from all staff to each schools Deputy DSL through our usual child protection reporting process. All reports will be treated confidentially.