

# Path 4

## Managing Allegations Against Staff Policy



### 1. Policy Statement

At Path 4 AP, we are committed to safeguarding and promoting the welfare of all students. We recognize that safeguarding concerns can arise regarding the conduct of staff, volunteers, or other adults working within the school. This policy sets out the procedures to be followed when allegations are made against staff or other adults working in the school to ensure a prompt, fair, and consistent response that prioritizes the safety of students.

### 2. Aims and Objectives

The primary aim of this policy is to ensure that:

- Any allegations against staff are dealt with fairly, thoroughly, and in accordance with statutory guidelines.
- The welfare of the child is always prioritized.
- Staff are protected from unfounded or malicious allegations.
- All allegations are reported and managed according to the principles set out in **Keeping Children Safe in Education (KCSIE) 2024** and relevant statutory guidance.

### 3. Scope

This policy applies to all staff, including teaching and non-teaching staff, volunteers, supply staff, contractors, and management committee, working at Path 4 AP.

### 4. Definitions of Allegations

An allegation may relate to a person who works with children who has:

- Behaved in a way that has harmed a child, or may have harmed a child.
- Possibly committed a criminal offense against or related to a child.
- Behaved in a way that indicates they may pose a risk of harm to children.
- Behaved in a way that suggests they may not be suitable to work with children, including behavior that may have taken place outside of the school setting, which raises concerns about the individual's suitability.

## 5. Reporting Allegations

- **Initial Concern:** Any concern or allegation regarding a member of staff must be reported immediately to the **Head of Centre**. In the event that the allegation concerns the Head of Centre, the matter must be reported directly to the **Chair of Management committee**.
- **Self-reporting:** Staff members who have concerns about their own conduct must report these immediately to the Head of Centre to allow for early intervention.
- **Confidentiality:** All allegations must be treated with the highest level of confidentiality and will only be shared with those who need to know in order to investigate the matter properly.

## 6. Initial Action

Upon receiving an allegation, the Head of Centre (or Chair of Management committee if the allegation is against the Head of Centre) will:

- Ensure the immediate safety of the child or children involved.
- Consider whether the allegation meets the **threshold** for referral to external agencies, such as the Local Authority Designated Officer (LADO).
- Conduct an initial evaluation to establish if the allegation is demonstrably false or unfounded. If it is, the matter may be closed without further action.
- Contact the LADO within **one working day** if the allegation meets the threshold for external involvement. The LADO will provide guidance on how the case should be handled.
- Where appropriate, refer to the police and/or children's social care.

## 7. Roles and Responsibilities

### 7.1 The Head of Centre

- Receives and manages allegations made against staff.
- Refers cases to the LADO where appropriate.
- Ensures that accurate records of all allegations, discussions, and decisions are kept.

### 7.2 The Local Authority Designated Officer (LADO)

- Provides advice and guidance on how to manage allegations.
- Oversees the investigation process and coordinates with police and social care services where necessary.
- Ensures that appropriate actions are taken in cases where staff pose a risk of harm to children.



### 7.3 Chair of Management committee

- Receives allegations made against the Head of Centre.
- Ensures that investigations are carried out fairly and in accordance with this policy.

## 8. Managing the Investigation

- **Suspension:** The decision to suspend a member of staff will not be taken lightly and will only be done if there is no reasonable alternative. The decision will be based on the potential risk posed to children and the need for a fair and thorough investigation. The school will consult the LADO before making this decision.
- **Internal Investigations:** Where the LADO advises that the school can conduct an internal investigation, this will be carried out by a designated senior staff member who is not involved in the allegation.
- **Police and Social Care Involvement:** If the allegation is referred to the police or social care, Path 4 will fully cooperate with these agencies. The school will not commence an internal investigation until these external agencies have completed their inquiries.

## 9. Support for Those Involved

### 9.1 Support for the Child

The school will ensure that the child involved is protected and supported throughout the process. This will include:

- Regular communication with the child's parents or carers, unless this would jeopardize the investigation.
- Ensuring the child has access to pastoral support.

### 9.2 Support for the Individual Facing the Allegation

- The individual will be informed of the allegation as soon as possible, provided this does not interfere with any investigation.
- The individual will be advised to seek support from a union or professional association and may be offered counselling or support from the school's designated staff wellbeing service.
- During any period of suspension, the individual will be kept informed of developments in the case.



## 10. Outcome of Allegations

After the conclusion of the investigation, the outcome of the allegation will be classified as follows:

- **Substantiated:** There is sufficient evidence to support the allegation.
- **Unsubstantiated:** There is insufficient evidence to either prove or disprove the allegation.
- **Unfounded:** There is no evidence to support the allegation.
- **Malicious:** There is evidence that the allegation was made with the intent to deceive or harm.

## 11. Actions Following the Investigation

### 11.1 Substantiated Allegations

- **Disciplinary Action:** If the allegation is substantiated, the school may take disciplinary action, which could include dismissal.
- **Referral to the DBS:** If the staff member poses a risk of harm to children, Path 4 AP will refer them to the **Disclosure and Barring Service (DBS)**. If the individual is a teacher, the case will also be referred to the **Teaching Regulation Agency (TRA)**.

### 11.2 Unsubstantiated or Unfounded Allegations

- If an allegation is found to be unsubstantiated or unfounded, the individual will be supported to resume their duties. Every effort will be made to minimize the damage to their reputation.

### 11.3 Malicious Allegations

- If an allegation is proven to be malicious, the school will consider disciplinary action against the individual who made the false allegation.

## 12. Record Keeping

- All records relating to an allegation will be kept confidential and securely stored.
- If an allegation is substantiated, a clear and comprehensive summary of the case, the actions taken, and the decisions made will be retained on the staff member's confidential personnel file.
- For unsubstantiated, unfounded, or malicious allegations, no reference will be made in the individual's personnel file, and records will be securely destroyed.

## 13. Learning from Allegations

After any case where an allegation is substantiated, Path 4 AP will conduct a review of the circumstances to determine whether there are any lessons to be learned in terms of procedures, policies, or training needs.



#### 14. Monitoring and Review

This policy will be reviewed annually or sooner if statutory guidance changes. The school will ensure that all staff are aware of this policy and understand the procedures to follow in case of an allegation.

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Date agreed	11 <sup>th</sup> September 2024
Review Date	10 <sup>th</sup> September 2025
Approved by	Moinul Islam MBE (Head of Centre)
	Alaur Rahman (Head of Operations)

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This policy is in line with Path 4 AP's commitment to safeguarding and promoting the welfare of all children and young people under its care.