



Tudor Grange Academies Trust

Abuse Allegations Procedures

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1. DEFINITIONS

“Academy”	Any school which falls within the umbrella of the Trust.
“Board”	The Multi-Academy Trust Board which is made up of the directors (and trustees) who together are responsible for the delivery of the core functions and hold the Executive Principal to account.
“Executive Principal”	The person with the overall responsibility for the day to day running of the Trust. The Principals of the individual Academies are accountable to the Executive Principal.
“Investigating Officer”	A member of the senior leadership team, who is unconnected with the incident and will lead the investigations of the allegation
“LADO”	Local Authority Designated Officers
“Manager”	Any person who provides directions to other more junior Trust Persons and whom the same Trust Persons report to.
“Principal”	The person responsible for the day to day running of a particular Academy within the Trust and where referring to the Executive or MAT Board, the Executive Principal.
“the Trust”	Tudor Grange Academies Trust (company number: 07365748) whose registered office is at Tudor Grange Academy, Dingle Lane, Solihull, West Midlands, B91 3PD.
“Trust Person”	All staff, directors and governors engaged by or associated with the Trust.

2. INTRODUCTION

- 2.1. This document describes the procedure to be followed where an allegation is made that a Trust Person has physically, emotionally or sexually abused a student of the Trust.
- 2.2. The Trust recognises that any allegation of abuse is serious and this procedure should be invoked without delay whilst ensuring that it is dealt with in a sensitive, efficient manner since all parties involved may be very distressed. The allegation should not be discussed within the earshot of a student or with any member of staff not directly involved in dealing with the allegation or referred to in it.
- 2.3. No student making or thought to be about to make a disclosure of abuse by a Trust Person may be assured of absolute confidentiality since the law may require details of an allegation to be passed to others irrespective of the wishes of the complainant.
- 2.4. The Department for Education’s statutory guidance for schools on Keeping Children Safe in Education (the “Statutory Guidance”) should be referred to in any cases where a person 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 indicated he or she would pose a risk of harm if they worked regularly or closely with children.

The most recent draft of Statutory Guidance is available here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf

- 2.5. This policy relates to any current Trust Persons, regardless of the establishment where the alleged abuse took place. Any allegations against a Trust Person who is no longer engaged at the Trust will be referred to the LADO in the appropriate Local Authority. Historical allegations of abuse will also be referred to the police.

3. DESIGNATED CHILD PROTECTION MANAGER

The Principal will designate a member of staff to act as the Child Protection Manager (CPM) also known as the Designated Safeguarding Lead (DSL) in its Academy. The CPM/DSL should not also have responsibilities for personnel management.

4. RECEIVING AN ALLEGATION

- 4.1. Any allegation of physical or sexual abuse of a student by a Trust Person should be reported to the relevant CPM/DSL and the Principal without delay, except if the allegation involves the CPM/DSL in which case it should be reported to the Principal.
- 4.2. The CPM/DSL and/or the Principal will take steps, where necessary to secure the immediate safety of students and any urgent medical needs.
- 4.3. The CPM/DSL should make a written record of what has been reported by completing an Abuse Allegation Form (see Appendix A). Where possible, the form should be signed by the student or the person to whom the allegation was first made.
- 4.4. The CPM/DSL should inform the Principal of the allegation without delay and should not discuss the allegation with the alleged abuser prior to reporting the matter to the Principal. The Principal will inform a member of the Executive without delay.
- 4.5. The Principal will appoint the Investigating Officer.
- 4.6. In the event of the allegation being made against the Principal, the CPM/DSL should inform the Executive Principal and Chair of Local Governing Body (LGB) directly of the allegation. The Chair of the Board will decide who should undertake the role assigned to the Executive throughout the procedure described in Paragraphs 4 to 6 below.

5. INITIAL ACTION

- 5.1. The Trust will follow the Local Safeguarding Children's Board Procedure for Dealing with Allegations against a Trust Person.
- 5.2. The CPM/DSL will immediately discuss the allegation with the Investigating Officer to consider the nature, content and context of the allegation and agree a course of action and will immediately notify and take advice from the LADO.
- 5.3. The Investigating Officer, in consultation with the CPM/DSL and following advice from the LADO or our HR Advisors, should undertake any initial enquiries that may be necessary in order to decide whether or not to refer the matter to the relevant Children's Services Department or to the Police. No

student may be physically examined. Neither Trust Persons nor students may be interviewed, except where they have previously received an account of the alleged abuse. Trust Persons or students may be invited, but not required, to write an account of their direct experience in relation to the allegation.

- 5.4. The Investigating Officer may seek advice from appropriate agencies, including the relevant Children's Services Department, the Department for Children, Schools and Families, HR and the Police.
- 5.5. The Principal will inform the Chair of the relevant LGB of any allegation.
- 5.6. The Investigating Officer and CPM/DSL will have regard to the most recent Department for Education's Statutory Guidance.
- 5.7. If after the initial sharing of information and evaluation, a decision is taken that no further action will be taken in regard to the individual facing the allegation or concern, the decision and a justification for it should be recorded by both the Investigating Officer and CPM/DSL.
- 5.8. The Investigating Officer should inform the accused person about the allegation as soon as possible after consulting with the Principal, the LADO and HR.

6. REFERRAL

- 6.1. Where the Investigating Officer decides to refer the matter to the relevant Children's Services Department for the Academy in which the issue arises on grounds of child protection and/or to the Police on grounds of a suspected criminal offence, the referral/s should be made without delay. From this point no further enquiries into the allegation should be made by Trust Persons unless and until the Children's Services Department and/or the Police indicate in writing that they do not intend to proceed further.
- 6.2. The Investigating Officer or CPM/DSL should discuss with the relevant officer of the Children's Services Department and/or Police what may and may not be said to the student, their parents or carers, the alleged abuser and to the informants.
- 6.3. The Investigating Officer should inform the Chair of the Board that an allegation relating to a member of staff has been made and referred to an external agency. The Investigating Officer should not describe the nature or details of the allegation to the Chair of the Board at this stage.
- 6.4. The Investigating Officer should prepare a statement to be used in response to queries by Trust parents and the media, following the Trust's Media Protocols. This should be approved by the Executive Principal. The statement should indicate that:
 - i The matter is governed by procedures which the Principal is obliged to follow;
 - ii The matter is in the hands of the appropriate agencies and no further comment can be made;
 - iii No names can be given for public use.
- 6.5. When inter-agency meetings take place, it is essential that the CPM/DSL, Investigating Officer or an alternative nominee attends.

When the external agencies have completed their procedures, the Investigating Officer may decide that an internal investigation should be carried out to establish whether or not the Trust's Disciplinary policy should be invoked. In this case, any further investigations conducted by the Trust shall follow those set out in the Disciplinary Policy.

7. NON-REFERRAL

- 7.1. If the Investigating Officer is satisfied that no child is at risk of significant harm or that a reportable criminal offence has not been committed, the allegation need not be referred either to the Local Authority or to the Police. In this case an internal investigation may be carried out by invoking the Staff Disciplinary Procedure.
- 7.2. The Investigating Officer will make detailed written records including his/her decisions, and the reasons for these.

8. OUTCOME

- 8.1. The following definitions should be used when determining the outcome of allegation investigations:
 - **Substantiated:** there is sufficient evidence to prove the allegation;
 - **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;
 - **False:** there is sufficient evidence to disprove the allegation;
 - **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- 8.2. The Investigating Officer will make detailed written records including his/her decisions, and the reasons for these.

9. MALICIOUS ACCUSATION

- 9.1. If the accusation is found to be entirely groundless and is judged by the Investigating Officer to have been made with malicious intent, the Investigating Officer may advise the Principal to take disciplinary action against the student or students responsible provided this is proportionate to the gravity of the offence and intent. This will follow the Trust's Behaviour policy.
- 9.2. Details of malicious allegations should be removed from personnel records for the subject of the allegation.

10. SUSPENSION OF STAFF

- 10.1. Suspension need not follow an allegation automatically but it may be an appropriate step at any stage, depending on the information available. Such a suspension would not constitute a disciplinary action.
- 10.2. A decision to suspend a member of staff may only be taken by the Principal or member of the Executive or in his or her absence the member of staff with delegated authority following consultation with external agencies where a referral has been made to them. Factors such as the seriousness of the allegation, the perceived risk to children, the existence or otherwise of previous complaints and the possible jeopardising of the conduct of any investigation should be taken into consideration.
- 10.3. Any member of staff who is suspended should be advised to contact their teacher association, trade union or other professional body for advice and representation.

11. RECORD KEEPING

- 11.1. The Investigating Officer will make detailed written records including his/her decisions, any action taken and the reasons for these. All records will be retained securely and subject to the Data Protection policy.
- 11.2. The CPM/DSL is responsible for keeping and securely storing records in relation to any allegations except where the allegation relates to the CPM/DSL in which case the Principal has this responsibility. Where a person makes an oral statement, a written transcript or summary should be signed and dated by the person making the statement.
- 11.3. The CPM/DSL or Investigating Officer should record the process followed in handling the allegation.

12. SUPPORTING THOSE INVOLVED

- 12.1. The Trust will deal with any allegation of abuse made against a Trust Person in a quick, fair and consistent way to minimise the stress inherent and provide effective protection for the child and support the person against whom the allegation is made.
- 12.2. We recognise that other staff may find the situation stressful and upsetting. We will support such staff by providing an opportunity to talk with their trade union or to seek further support as appropriate.
- 12.3. Parents or carers of a child or children involved should be told about the allegation as soon as possible if they do not already know of it. Where other agencies or the police are involved, these should be consulted first and it should be agreed with these agencies the information that can be disclosed.
- 12.4. The CPM/DSL or Investigating Officer should record the process followed in handling the allegation.

13. CONFIDENTIALITY

The Trust will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

Appendix A

Abuse Allegation Form

Name of Informant:

Nature of the allegation

Please include full details, including persons involved, dates and times of incidents

This form completed by

Signed _____ **Date**
