

EMPLOYEE GUIDE - INFORMATION FOR THOSE THAT ARE SUBJECT TO AN ALLEGATION OF ABUSE (JANUARY 2022)

Introduction

Any allegation of abuse may cause a great deal of anxiety and concern. This guide is intended to provide you with an overview of some of the key issues and to signpost you to appropriate information, advice and support.

Trade Unions

You are encouraged to contact your trade union to discuss your current position. The trade unions are able to offer advice and support in these difficult circumstances. The contact details of the recognised trade unions are as follows:-

Teachers	ASCL	Tel:	0116 299 1122	email:	hotline@ascl.org.uk
	NAHT	Tel:	0300 30 30 333	email:	specialistadvice@naht.org.uk
	NASUWT	Tel:	01257 256800	email:	rc-northwest@mail.nasuwt.org.uk
	NEU	Tel:	0345 811 8111 (National)	email:	sarah.troughton@neu.org.uk (Local)
Support staff	UNISON	Tel:	01772 533072	email:	unisonduty.officer@lancashire.gov.uk
	UNITE	Tel:	01772 729243	email:	maria.smyth@unitelancashire.org
	GMB	Tel:	01772 555879	email:	preston@gmbunionlancs.co.uk

Welfare & Counselling Support

You are advised to contact your GP if you feel that your health is being adversely affected by the situation. If you believe that you need face-to-face Occupational Health Unit intervention, please discuss this with the Headteacher. The Education Support Partnership can also offer support to teachers on a 24/7 basis – (www.educationsupport.org.uk/08000 562 561)

Contact Officer

If you have been suspended from work as a result of the allegation, you should have been allocated a Contact Officer, who is a representative of the School. Their role is to maintain contact with you, deal with any queries you may have and keep you updated in relation to the investigation process.

Suspension

Suspension is not a sanction or an automatic response to an allegation. Alternatives to it will have been discussed and carefully considered prior to a decision to suspend being taken. In taking a decision to suspend, the School will have taken into account the views of the Authority's Local Authority Designated Officer (LADO), Human Resources, the Police and Children's Social Care (where they are involved). Suspension is not, in any way, an indication that a conclusion has already been reached. Suspension is considered in cases where:

- An individual's continued presence on site may pose a risk
- To enable a child protection or criminal enquiry to proceed unimpeded
- The matter is so serious that it has the potential for there to be grounds for dismissal

Following a suspension, you may be invited to an investigation meeting under the Disciplinary Procedure with the Headteacher, or you may be invited to a meeting to discuss a return to work, if appropriate.

Investigation Processes

The allegation may be the subject of an investigation by Children's Social Care (CSC) and/or the Police. At the conclusion of any investigation by CSC or the Police, or if these agencies decide that they do not need to conduct an investigation, the matter will be handed back to the school to deal with. **If** this involves a disciplinary investigation, you will be provided with advanced notice of any meetings, together with the right to be represented by a trade union representative, as required under the appropriate Disciplinary Procedure (which

you should receive a copy of). You may also be provided with advice, guidance, training and/or support in respect of any issues that have emerged following the allegation. You should think about what may be of particular use to you and be prepared to make this clear to the Headteacher.

Confidentiality

Clearly, allegations of abuse are extremely sensitive matters and all reasonable steps will be taken in order to ensure that any information pertaining to them will be dealt with in strictest confidence and on a 'need to know' basis. In the unlikely event that the matter becomes subject to speculation outside of the workplace/in the public domain, advice will be sought regarding any action that may be required to address and manage this. Again, this will be done with the utmost sensitivity and in consultation with relevant parties.

Frequently Asked Questions

When will I be given an opportunity to respond to the allegation?

The principles of natural justice dictate that any person accused of something should be given the opportunity to know what is being alleged and to respond to it. How and when that occurs will depend upon the nature of the allegation and any enquiries that are being made in respect of it. Rest assured, you will be provided with information and an opportunity to respond **at the earliest opportunity**.

If I am to be spoken to or interviewed by Police and/or Children's Social Care (ie a social worker) when and where will this happen?

Again, the need for sensitivity and discretion is at the forefront of everyone's mind in dealing with these matters. In the event that you do need to be spoken to or interviewed, then this will be arranged and handled with discretion. Again, you should seek advice from your Trade Union representative regarding any additional advice or support that you may need in the event that you are to be interviewed formally.

What information about this process, including meetings and/or investigative processes, will I have access to?

If you are faced with an allegation you should be provided with a copy of the Procedure for Managing Allegations (Part 4 of the DfE's [*Keeping Children Safe in Education* \(KCSIE\)](#)). This will inform you of the process(es) that need to be followed by your employer and the relevant authorities/agencies in dealing with the allegation. Minutes of multi-agency strategy meetings are confidential documents and are not disclosed to third parties (i.e. those not in attendance) as a matter of course. You should seek advice from your Trade Union representative in relation to this. For obvious reasons, the disclosure of any records/potential evidence held by investigative agencies is subject to the usual rules of confidentiality and Data Protection/Freedom of Information Act legislation.

What records will be kept, by whom and for how long?

Under KCSIE, the employer and LADO are required to keep a record of all allegations for ten years or until you reach retirement age, whichever is longer, excluding malicious allegations. Such records are maintained for the protection of adults and children alike and you should be provided with a copy of the record that is kept by your employer.

Will this impact upon any future DBS disclosure or references if I apply for another job?

DBS information is disclosed at the discretion of the Chief Constable. Discussions about DBS disclosures may occur during the course of multi-agency strategy meetings. Employers will also provide details of any allegations (excluding malicious allegations) that have been made against individuals in the event that they are asked for a reference by a prospective employer. This is in line with safer recruitment and selection practice and is intended to ensure that clarity is achieved which protects adults and children alike i.e. it will prevent unnecessary re-investigation in future, will leave no doubt that appropriate and robust procedures were followed and that the matter was dealt with appropriately at the time.

Take time to read the Procedure for Managing Allegations carefully and liaise with your Trade Union representative and Contact Officer, as appropriate, in the event that you require further clarification.