



## Fierté Multi Academy Trust

### Managing allegations against staff in a position of trust Policy 2017-2018

At the heart of our Trust are both the UNICEF Rights Respecting values and articles and Learning Behaviours. Through these, we aim to put children's rights at the heart of our schools. We work together to embed children's rights in our ethos and culture; to improve well-being and develop every child's talents and abilities to their full potential. We aspire to give children a sense of pride and achievement in all that they undertake.

### Managing Allegations against Adults in a Position of Trust

Allegations against adults working in a position of trust in the school must be dealt with by the head teacher, **not** the Designated Senior Person for Child Protection (unless the allegation is against the head teacher, in which case it should be dealt with by the Chair of the Trust Board).

To report a concern or allegation to the Staffordshire Local Authority Designated Officer (LADO) that an adult:

- Has or may have harmed a child
- May have committed a criminal offence related to a child and / or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm if they work regularly or closely with children

The head teacher (or Chair of the Trust Board if the concern is about the head teacher) must contact the First Response Team within 24 hours of any situation arising on **0800 1313 126**. Please ensure that you tell the call taker that this is a position of trust issue so that after initial discussions your referral will be directed to the Duty LADO who will assist initiating any additional safeguarding activities.

If your concern or allegation is urgent and outside of office hours telephone **0845 6042 886** the Emergency Duty Team (EDT).

A leaflet about the Staffordshire LADO service can be downloaded which gives tips on what employers should and should not do when concerns are initially raised and gives advice about the information that will be required if there is a Position of Trust meeting convened in regard to the matter – please see the attached document below. In order to print correctly please note you should print on 'both sides', with the 'flip on short edge' option.

- [LADO Leaflet](#)

Organisations must follow their **disciplinary policies** when this is the agreed action following discussion with LADO or a result of a Position of Trust meeting. HR advice should be sought by the employer where this is available. The LADO must be informed of the outcome of a disciplinary investigation. If a member of staff resigns during the process, this should still proceed so that there is an outcome to the investigation. If a member of staff is dismissed due to a safeguarding concern, or

there is a decision to cease to use the services of a volunteer, the DBS must be informed. This is the employer's legal responsibility, but the LADO will give advice.

### **Referring to the Disclosure and Barring Service (DBS)**

If there have been concerns of a safeguarding nature about a person in a position of trust working with children, you need to consider whether a referral to the disclosure and barring service is required. There is a statutory duty on employers to make referrals in certain circumstances, particularly when a person engaged in regulated activity has been dismissed or you have ceased to use their services due to safeguarding concerns. If a person resigns during the course of an investigation, you need to consider whether you should make a referral to the DBS. You should also discuss the matter with the LADO.

- [Disclosure and Barring Service referral form and guidance](#)

### **Guidance**

The DfE has incorporated guidance for dealing with allegations against teachers and other staff in schools and colleges in the statutory guidance 'Keeping children safe in education' April 2014.

- [Keeping children safe in education 2016](#)