

Allegation Management Policy

CT Skills is committed to providing the highest level of care for both learners and employees. It is extremely important that any allegations of abuse against any member of staff, volunteer or peer on peer is dealt with thoroughly and efficiently, maintaining the highest level of protection for the learner, whilst also giving support to the person who is the subject of the allegation. Our policy is in line with statutory guidance from the Department of Education, Keeping Children Safe in Education and Working Together to Safeguard Children. This policy is designed to ensure that all staff, parents or carers are aware of the procedure for the investigation of allegations of abuse in order that all complaints are dealt with consistently, and as efficiently as possible.

If an employee or Learner is alleged to have;

- Behaved in a way that has harmed or may have harmed a child or vulnerable adult
 - Possibly committed a criminal offence against, or related to, a child or vulnerable adult
 - Behaved in a way that indicates they would pose a risk of harm to a child or vulnerable
- *NB: The Children and Young Persons Act 2008 defines a child as “everyone under age 18”. The Safeguarding Vulnerable Groups Act 2006 defines a adult at risk as a person aged 18 years or over, who is in receipt of or may be in need of community care services by reason of “mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.”*

The ‘Designated Safeguarding Lead (DSL)’ will act as Case Manager and will;

- Provide support to the individual making the allegation
- Ensure that all relevant information is documented on the Safeguarding & Prevent Disclosure Form
- Contact the Local Authority Designated Officer (LADO) within 1 working day. The purpose of the initial discussion is for the LADO to consider the nature, content and context of the allegation and agree a course of action
- Follow the advice of LADO regarding any subsequent actions.

The LADO has overall responsibility for oversight of the procedures for dealing with allegations; for resolving any inter-agency issues; and for liaison with the Local Safeguarding Children Board (LSCB) on the subject. The LADO provide advice and guidance to the DSL. in addition where appropriate liaise with the police and other agencies, monitoring the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process.

Where immediate action to ensure safety is required

Immediate action may be required to ensure the safety of a child or vulnerable adult;

- Where there is a medical emergency, medical attention should be secured by calling an ambulance (dial 999)

- Where a child or vulnerable adult is in immediate danger the police should be contacted (dial 999)

Support for employee facing an allegation

Confidentiality will be maintained throughout the process for both the individual making the allegation and employee.

As part of our duty of care to our employees we will;

- Provide support to any employee facing an allegation
- HR will be appointed as named contact and will liaise with the employee
- Deal with the allegations as quickly as possible, in a fair and consistent way that will provide effective protection for the individual making the allegation and at the same time support the employee who is the subject of the allegation
- Inform the employee of the concerns/ allegation as soon as possible and give an explanation as to the likely course of action (unless we are advised by Social Services or the police not to do so)

Suspension

The Company will consider all alternatives prior to taking a decision to suspend an employee facing an allegation. However, if it is deemed inappropriate for the employee to remain at work then suspension from work will be instigated. The suspension will be for no longer than is necessary to investigate the allegation. Suspension does not mean that any decision has already been made about the allegation.

Potential outcomes of an allegation

- a) **Substantiated:** there is sufficient identifiable evidence to prove the allegation;
- b) **False:** there is sufficient evidence to disprove the allegation;
- c) **Malicious:** there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false;
- d) **Unfounded:** there is no evidence or proper basis which supports the allegation being made;
- e) **Unsubstantiated:** there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

Record keeping

Details of allegations that are found to be malicious will not be retained on the employee's personnel file.

All other outcomes will be recorded and retained on the employee file in line with our policies and procedures. A copy of the report will be provided to the employee.

Action taken with the learner

In the event of a malicious allegation, CT Skills may consider whether to apply an appropriate sanction, which could include temporary or permanent exclusion (as well as referral to the police if there are grounds for believing a criminal offence may have been committed).

If the learner is identified as being at risk, the Designated Safeguarding Lead will signpost the learner to the relevant support services.

Action taken with the employee

HR will liaise with both the DSL and LADO regarding appropriate next steps to be taken with the employee. In the event of a substantiated allegation, this may result in disciplinary procedures being instigated.

CT Skills will remain mindful of its duty of care and other legal obligations such as those it owes under the Health and Safety at Work Act 1974, The Data Protection Act 2018, the Safeguarding Vulnerable Groups Act 2006, the Equality Act 2010, the Protection of Freedoms Act 2012 and the Counter Terrorism and Security Act 2015.

In the case of learners under 18, the following legislation and guidance is also relevant:

Working Together to Safeguard Children (2018) and Keeping Children Safe in Education (2021). This procedure forms part of, and should be read in conjunction with CT Skills Safeguarding & Prevent Policy

Raising Concerns

CT Skills encourages and promotes a culture whereby staff and learners feel confident to report concerns about a colleague's conduct and have confidence that those concerns will be taken seriously. The Safeguarding and Prevent policy in conjunction with the whistleblowing policy supports staff and learners through the process.

