

# Appendix Q

## Information guide for staff facing allegations

The aim of this information guide is to explain the processes involved, and the support and guidance available, if it is alleged that you have:

- harmed a child or put a child at risk of harm
- committed a criminal act towards a child
- behaved in a way that raises concern about your suitability to work with children

### Initial Action

When the allegation is made, your manager should consult the Local Authority Designated Officer (LADO) to consider the next steps, taking advice from Social Care and the Police as needed. The Police may advise that you are not told about the allegation immediately.

The synod Safeguarding Officer should also be informed and will be on hand to offer advice and support.

Your Manager's decision, in consultation with the LADO and synod Safeguarding Officer, will be one, or a combination of the following:

- a) The child / young person is alleged to have suffered, or is likely to suffer, significant harm – this requires immediate referral to Social Care
- b) A criminal offence is alleged – this requires referral to Social Care and the police
- c) The allegation represents poor or inappropriate behaviour – this should be considered under disciplinary and/or capability procedures, including referral, if appropriate, to any professional body to which you may belong
- d) The allegation is clearly and demonstrably without foundation and no further action will be taken

If the conclusion of the initial discussions are a) or b) a Strategy Discussion should take place involving the police, Social Care, your manager, LADO and where possible an HR representative. The synod Safeguarding Officer may also attend. You will not be asked to attend such a discussion.

The discussion will focus on the needs of the child(ren) who may be at risk. It will determine what action should be taken regarding further investigation, but it is not part of any disciplinary procedure.

If the initial discussions conclude that the situation is as outlined in c), an investigation will be initiated under the disciplinary and/or capability procedures.

If the conclusion is as outlined in d) you should be told orally, and in writing, that the allegation is without foundation and that no further action will be taken.

## Types of Possible Investigation

- child protection enquiries by Social Care
- criminal Investigation by the police
- disciplinary/capability investigation

A disciplinary investigation will usually need to wait until external statutory investigations are complete, unless prior agreement is reached. Whilst these investigations should be conducted as speedily as possible, they should also be balanced against the need to be thorough and fair. Statements taken in external investigations could be used in subsequent disciplinary proceedings.

Suspension is a neutral act, and should not be automatic. Your manager should consult with the LADO and the synod Safeguarding Officer and consider recommendations from the strategy meeting, if appropriate, before any decision to suspend is taken.

Suspension should only occur when the known facts relating to the allegation indicate:

- a child or young person may be at risk
- the allegations are so serious that dismissal for gross misconduct is possible
- suspension is necessary to allow the conduct of the investigation to proceed unimpeded

Alternatives, such as leave of absence, transfer of duties or additional supervision should be considered.

Where suspension is being considered, an interview will normally be arranged. You have the right to be accompanied by a Trade Union representative, colleague or friend. You are advised to seek the assistance of your Union representative, if you have one. If you are suspended, one of their roles will be to promote your interests and raise issues that may be of concern to you. The interview is not an examination of the evidence, but is an opportunity for you to make representations concerning possible suspension.

Other people, including your colleagues, should only be told about the allegation on a 'need to know' basis. You will be told who will be informed. Notification may be delayed if the Police think this could prejudice an investigation.

Those likely to be told of the allegation and likely course of action include yourself, the Moderator, your Minister, the child or young person concerned, his/her parent/carer, the person making the allegation, your manager, the synod Safeguarding Officer, the LADO and the investigating agencies as above.

If you are suspended, the persons appointed to a disciplinary panel, if convened, will also be given the necessary information.

If the matter becomes common knowledge, it may be necessary to issue a brief statement, which will be agreed by the agencies concerned. If this is considered necessary, you will be informed of what will be said and when this will happen.

# Support

You should expect to be:

- Advised to contact your Union representative, if you have one
- Given a support contact who should keep you up to date with the progress of your situation
- Given a contact (who may be different) who will keep you updated about church activities, if you are suspended. Social contact with colleagues should not be precluded, unless detrimental to the investigation. The type of information and frequency of contact should be agreed, but colleagues should not comment on or discuss the investigation
- Offered Counselling and pastoral support

This may be a stressful time, so in addition to contacting your Union representative, colleague or friend who is supporting you, you are advised to see your GP if you think your health may be affected.

## Return to work

If you have been suspended and it is decided that you are able to return to work, your Union representative, colleague or friend can assist in negotiating and planning this return.