

## Allegations and Misconduct Policy

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This policy will be reviewed every 12 months.

**Review Date:** November 2022

### Policy brief & purpose

**Inspiring Teaching** follows stringent quality guidelines and takes every reasonable precaution to ensure that all candidates supplied to its Clients maintain the highest standards of professional and personal conduct.

However, despite our stringent quality procedures and the vulnerable position that supply staff can sometimes find themselves in, occasionally difficult or sensitive issues can arise. Both Client and Candidate feedback is essential to us in order to ensure we continually work towards improving our service.

Inspiring Teaching has set out the following procedures which must be adopted by staff when dealing with Allegations/Misconduct as well as the responsibilities of **Inspiring Teaching** with regard to Child Protection/Safeguarding issues.

### Complaints and Allegations

The details of any allegation or complaint against a candidate or a client is currently processed in their respective electronic file on our system. In this file, the staff can record and review any actions taken or any investigation carried out as a result of an allegation. When we receive a complaint or a report of an incident, we explain our procedures for handling incidents and ask the candidate or client in question if they would like for us to commence a process accordingly. In deciding how far to pursue the investigation, we are usually guided by the complainant's attitude towards the incident.

### Candidates

Minor complaints concerning candidates will be brought to the attention of the candidate by their consultant. Together they will discuss the misdemeanour and the consultants will give warnings where necessary. The details of the discussion and any warnings will be documented on the candidate's record. Candidates will be told that if the behaviour is repeated or any further complaints are received, it will result in further warnings and ultimately could lead to the removal from the Inspiring Teaching register. Examples of minor complaints include the following:

- Failure to follow instructions, if applicable.
- Lateness.
- Failure to carry out minor duties, such as cleaning up.
- Unsuitable attire.
- Disrespecting members of the Inspiring Teaching team and peers

Complaints and allegations of a more serious nature, that are in breach of Inspiring Teaching's Terms of Engagement, are dealt with by the Inspiring Teaching Directors in

collaboration with the Inspiring Teaching consultant, the client and any other relevant authorities. Examples of serious complaints and allegations include:

- Inappropriate contact with colleagues or other persons on site.
- Inappropriate behaviour towards colleagues or other persons on site.
- Drink and drugs abuse.
- Safeguarding
- Theft.

### Clients

Consultants will encourage candidates to speak openly about their experience with the role and the workplace in which they have been placed. Candidate comments will be treated in confidence unless it is agreed with the candidate to raise the issue with the client. The consultant will act on behalf of the candidate to help resolve any issues causing difficulty for them.

Complaints of a serious nature regarding the behaviour of client staff will be communicated to the person in charge at client and/or relevant governing body.

Examples issues:

- Inappropriate behaviour towards the candidate or any other person on site.
- Racial or sexual harassment.
- Health and safety issues.
- Safeguarding issues.

### Internal investigation procedures

Where appropriate, Inspiring Teaching will undertake an internal investigation into the allegation or complaint. This course of action is carried out when the allegation or complaint is not serious enough to be dealt with by the police or any other third party but where the complainant and Inspiring Teaching are concerned about the complainer's professional conduct.

An internal investigation will only take place once all procedures for serious complaints or allegations of professional misconduct have been completed.

## Procedure

Each Inspiring Teaching candidate has a notes section in their electronic file. Details of any allegation or complaint against a candidate, together with a detailed account of all actions taken in the course of any investigation are recorded here and in their physical file. Copies of statements and all correspondence are also kept, as well as a chronological sequence of events.

Following the receipt of a complaint or report of an incident, we explain that we have certain procedures for handling incidents, and that we will be happy to set these in motion if the client wishes. If the incident is considered by either the client or a parent serious enough to warrant further investigation, we adopt the following procedures:

### Stage 1

The complaint or allegation should be communicated to Inspiring Teaching by phone, in writing or by email to explain the nature of the allegation and how it has arisen. If the complaint is made by telephone, we encourage the Complainer to follow up via email or a

member of the team will follow up outlining the nature of the complaint in a document so that we have the information documented.

If the complainant is a client, the client will be asked the following questions:

- Do you wish to terminate the engagement with the candidate?
- Do you want to terminate immediately or wait until an investigation has been carried out?
- Would you like a replacement candidate?

If the complainant is a candidate, the candidate will be asked the following questions:

- Do you wish to terminate the engagement?
- Do you want to terminate immediately or wait until an investigation has been carried out?

Our Inspiring Teaching Directors must be informed immediately of all serious allegations made against candidates or clients.

## **Stage 2**

Inspiring Teaching will inform the complainant that we conduct our own investigation. We will also explain the process of that investigation. A written statement will be requested from the complainant, together with any supporting documentation of the incident or incidents.

If the complaint is aimed towards a candidate, Inspiring Teaching will build up a profile of the candidate based on their original clearance checks, references and feedback from previous clients since working for Inspiring Teaching in order to assess the nature of the incident.

## **Stage 3**

The complainee is notified about the complaint or allegation and is asked for their version of the events. Confidentiality is maintained on a need-to-know basis.

If the complainee is a client, they will be asked to discuss the matter over the phone or in person. If the complainee is a candidate, they are asked to attend a face-to-face review meeting. During this meeting the alleged incident will be discussed in detail, so the Director can evaluate the candidates' ability to continue working for Inspiring Teaching. If the matter is of a highly serious nature, the complainee should only be informed of the nature of the allegation if there is no way in which the investigation could be prejudiced or evidence could be lost. The complainee will, in that case, be notified of the allegations by the police directly.

## **Stage 4**

Inspiring Teaching informs the complainant of the steps that have been taken and of the outcome of the investigation. The complainant is advised that if the matter cannot be resolved and that the seriousness of the allegation warrants further action, to adopt whatever measures would normally come into force to meet legal requirements.

If the issue needs to be resolved through any authority involvement, Inspiring Teaching will be guided by the authority's decision when considering working with the complainant subsequently.

## **Stage 5**

If the complainee is a candidate with an unblemished record and where a genuine error in

professional practice has been made, Inspiring Teaching will go through the Terms of Engagement with the candidate and require the candidate to resign the terms. If required, additional training will be given. In the event of repetitive minor misdemeanours and where complaints are continually being made (by the same or different clients), we will act and make a decision to remove the candidate from Inspiring Teaching's register.

### Stage 6

Following the meeting we will then write to the client to report on our investigation. The client is advised that if the matter cannot be resolved and that the seriousness of the allegation warrants further action, to adopt whatever measures would normally come into force to meet legal requirements.

While any such proceedings a senior representative of Inspiring Teaching will be available to attend, if requested, any meetings to share information and co-operate fully with the Client/Authority pending a final decision. All internal paperwork will also be made available. Following the outcome of any such investigation, we are guided by the Client/Authority's decision when considering the candidates future as an Inspiring Teaching worker.

All candidates returning to work for Inspiring Teaching after a review meeting are closely monitored on returning and relevant notes are kept on their file.

If Inspiring Teaching is still concerned about a candidate's ability to return to work after their practice review meeting, the matter will be referred to the Director. For issues defined as professional incompetence or serious misconduct which have been the subject of an investigation and which have been proven to the satisfaction of the Director of Inspiring Teaching, a candidate will be immediately removed from the Inspiring Teaching register. If a candidate is removed from the Inspiring Teaching register, the candidate and the relevant authorities will be informed, for example the Disclosure and Barring Service. Affected clients will also be informed.

## Post Registration

If Inspiring Teaching receives information following registration of a candidate which may be relevant to his/her suitability for a post within a client, we will first assess its severity. If it is apparent that the information is of a serious nature and could be a child protection issue, then we would notify all relevant parties immediately and implement the following procedure:

- Managers will immediately make the Director or Designated Safeguarding Officer aware of any candidate having serious allegations made against them.
- Any serious acts of misconduct will be dealt with by the Designated Safeguarding Officer.
- Any candidate who presents false documentation or has a serious allegation made against them is referred to the relevant body i.e. LADO (the Local Authority Department Officer) or NCTL (the National College for Teaching and Leadership). If appropriate, these bodies can prohibit staff, meaning the person concerned is not allowed to teach in clients i.e. schools, day nurseries, relevant youth accommodation and children's homes in England.
- If an allegation is of a less serious nature and does not require referring to the above department, we will suspend the candidate and require them to attend an

interview with Inspiring Teaching about the incident as previously described.

## Summary

It is Inspiring Teaching's utmost priority that incidents and complaints are dealt with in a fair manner. Our operating system of individual, accountable Consultants for Clients and Candidates means that a Consultant will normally deal with a complaint until its resolution. If at any time a Complainant is not satisfied with the treatment of their Complaint, then Inspiring Teaching has a clear line management structure for the complaint to be referred to a more senior level.