

## HOLY TRINITY C OF E PRIMARY SCHOOL

### ALLEGATIONS OF ABUSE AGAINST TEACHERS AND OTHER STAFF POLICY

#### **INTRODUCTION**

Allegations that a member of staff has abused a pupil or pupils either inside the school premises or during a school trip or visit could be made by:

- \* Parents
- \* The abused pupil
- \* Other members of staff
- \* Other pupils
- \* The Police or Social Services
- \* A third party

An allegation of such seriousness would normally be made directly to the Head Teacher; but if another member of staff is told first, he/she will ensure that the Head Teacher is informed immediately.

If the Head Teacher is unavailable - or is involved - the Chairman of Governors should be told immediately.

#### **ANONYMOUS ALLEGATIONS**

If an allegation of abuse against a child is made anonymously which names both a member of staff and the child, it will be handled in exactly the same way as if the identity of the person making the allegation is known.

Where the allegation names the member of staff, but not the pupil, the member of staff will be interviewed and asked for his/her version of events.

It might be appropriate to establish a mentoring or review programme for that individual, or to provide them with further training.

A record must be kept on the individual's personal file.

#### **THE FIRST RESPONSE**

The response must be prompt and sensitive to the legitimate concerns of the child's family. It is essential to:

- \* Take any allegation of abuse involving a member of staff very seriously.
- \* Establish the facts before coming to any conclusions.
- \* Consult RBWM Human Resources.
- \* Inform the member of staff that an allegation has been made and advise him/her to contact their Trade Union or Professional Association for advice support.
- \* Inform the child's parents in confidence, and ask them to maintain confidentiality whilst the investigation takes place.

- \* If the allegation involves the parents, Social Services must be informed before contacting the parents.

## **THE NEXT STEP**

Although a formal investigation is a matter for specialists, where the facts suggest that there may be reasonable grounds for suspecting actual abuse, or grooming of a child, or other criminal behaviour the following procedure will be used:

- \* Invite the police to conduct the investigation.
- \* Involve the Local Safeguarding Children's Board (LSCB).
- \* Consider suspending the member of staff or volunteer concerned.

## **SUPPORT FOR THE PUPIL**

The priority is always to safeguard the pupils. Full support will be given to the abused child. The Head Teacher, as well as the school's Child Protection Officer (CPO), will consider how best to support and monitor the pupil concerned through an investigation, liaising closely with parents, guardians, the LSCB, or any other agencies involved to identify the appropriate support strategies.

## **SUSPENSION**

Suspension of a member of staff is a neutral act and does not imply that any judgement has been made about his/her conduct. However it is a serious step and legal advice will be taken beforehand.

A member of staff will normally only be suspended where:

- \* There is a serious risk of harm (or further harm) to the child
- \* The allegations are so serious as to constitute grounds for dismissal if proven
- \* The police are investigating allegations of criminal misconduct.

It is fully recognised that there is a duty of care towards all staff and it is essential to:

- \* Interview the member of staff before the suspension,
- \* Keep him/her informed of the progress of the investigation.
- \* Keep an open mind until a conclusion has been reached

A member of staff who is invited to a meeting where the outcome is likely to result in suspension, is entitled to be accompanied by a friend, Trade Union representative or a member of a Professional Association.

## **ALTERNATIVES TO SUSPENSION**

Alternatives to suspension must always be considered. Possibilities include:

- \* Sending the member of staff on leave,
- \* Arranging non - contact duties
- \* Ensuring that a second member of staff is always present in the classroom

when the accused is teaching.

## **IF THE MEMBER OF STAFF RESIGNS**

The resignation of the accused member of staff or volunteer during the investigation would not lead to the investigation being abandoned. All investigations into allegations of child abuse will be completed.

## **COMPROMISE AGREEMENTS:**

The policy is to follow the DCSF guidance set out in “Safeguarding Children and Safer Recruitment in Education” on the use of compromise agreements in cases of child abuse which is:

“Compromise agreements, by which a person agrees to resign, and a school agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, must not be used in these cases. In any case, such an agreement will not prevent a thorough police investigation where that is appropriate. Nor can it override the statutory duty to make a referral to List 99 where circumstances require it”

## **LENGTH OF INVESTIGATORY PROCESS**

It is recognised that everyone’s interests are served by completing any investigatory process as swiftly as possible. The aim is to spend as little time as possible that is compatible with fair and impartial processes in the investigation. It is expected that most cases would be completed within one month.

## **REFERAL TO THE INDEPENDENT SAFEGUARDING AUTHORITY**

There is a statutory legal duty to refer an individual, where there is a risk that he/.she may harm or has caused harm to children, to the Independent Safeguarding Authority (ISA) within one month of the individual’s dismissal or resignation because he/she has been considered unsuitable to work with children. Reports concerning members of staff or volunteers are normally made by the Head Teacher, or if the Head Teacher is involved by the Chairman of Governors.

The school will play no part in the process of barring individuals from working with children. There is a legal duty to respond to requests for information received from the ISA.

## **RECORDING ALLEGATIONS OF ABUSE**

All allegations of abuse, subsequent actions including any disciplinary measures must be recorded on the individuals file with a copy passed to the individual who must be told that the record will be retained until statutory retirement age, or ten years whichever is the longer.

## **HANDLING UNFOUNDED OR UNSUBSTANTIATED ALLEGATIONS**

### **The Child**

A child who has been at the centre of unfounded or unsubstantiated allegations of abuse may need help in dealing with the aftermath. The school will liaise closely with the LSCB to provide a programme that best meets the child's needs with support from school staff, the Adolescent Mentality Services and an Educational Psychologist where appropriate.

It must be recognised that the allegation of abuse may be an act of displacement masking abuse that is occurring within the child's family and/or community.

However much support the child may need the unfounded allegation may result in the breakdown of the relationship with the teacher. In such circumstances it may be in the child's best interest to move to another school. The school will work closely with the child and his/her parents or guardian to make the transition as smooth as possible.

### **Member of Staff**

As a result of an unfounded allegation of abuse a member of staff may be left with severely diminished self esteem, feeling isolated and vulnerable, all too conscious that colleagues might shun him/her on the grounds of "no smoke without fire". If there is an issue of professional competency, and although acquitted of child abuse, disciplinary issues are raised, the individual may need both emotional and professional help, the school has an obligation to arrange a mentoring programme and counselling support.

## **ALLEGATIONS OF ABUSE OF A CHILD WHO IS NOT A PUPIL AT THE SCHOOL**

If the school receives information that suggests that a member of staff was abusing a child who was not a pupil at the school, the information would be passed to the Local Safeguarding Children's board (LSCB). The member of staff will be advised of the allegations and told that the school would not play any part in the investigatory process. He/she would be warned of the possibility of suspension or reassignment to other duties. If the allegation is subsequently proved to be unfounded the individual will be given full support in resuming his/her career.

## **ALLEGATIONS INVOLVING THE HEAD TEACHER**

Any member of staff becoming aware of an allegation of abuse involving the Head Teacher is to inform the Chairman of Governors. The Chairman will consult with the RBWM and follow the principles of the process outlined above. If appropriate, the Head Teacher will be suspended for the duration of the investigatory process.

Approve by FGB: 15.03.2011 Review Period: Annual Next review due: Summer 2012 Lead Group F&R Com
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