



FROGMORE INFANT SCHOOL

Guidance on Dealing with Allegations Against, and Concerns about Staff, Volunteers and Governors

Procedure to follow on receiving an Allegation

If you receive or are aware of an allegation that a member of staff or volunteer has taken any action or actions that might be interpreted as child abuse or neglect, or is alleged to have had a sexual relationship with a pupil, the Headteacher must:

Step 1 Make an immediate and accurate record of the details initially provided including dates, times, location(s), incident(s) and people allegedly involved, including a record of who said what to whom.

Step 2 Ensure that the person who spoke to the child or the originator of the concern has fully recorded the details provided. The child should NOT be asked to write a statement.

Step 3 Ascertain any relevant background information about the child's circumstances, any known concerns about the member of staff/volunteer, whether that person was or could have been at that place at that time etc.

NB. This stage is not an investigation of the allegation, but a brief double-check of the known circumstances of the case. Becoming over-involved at this stage can **adversely affect a child protection investigation**. Investigations of child protection issues are the responsibility of the specialised Social Care and Police teams. They are NOT the responsibility of Headteachers, although Heads will, of course, be included closely in that process.

These basic initial enquiries must not cause a delay in referring the matter on as set out below.

At this preliminary stage, DO NOT:

- Interview the children
- Inform or interview the member of staff
- Contact the parents or carers (see Step 5 below)

Step 4 Contact the Allegations Officer, on the same day even where the allegations appear to be less serious. If the Allegations Officer is unavailable, EWS has a rota of managers to provide a response. The Allegations Officer will enlist the support and advice of Education Personnel Services (EPS) and other relevant parties including Social Care and Police as appropriate.

NB Do not contact the parents or carers immediately. Parents/carers should be told as soon as possible but take urgent advice from the Allegations Officer to ensure that nothing is done that could be in conflict with a potential child protection investigation. In cases where a child has been injured at school and requires medical treatment, the parents/carers must be notified immediately.

Step 5 In liaison with the Allegations Officer, determine whether the allegation:

- **is to be dealt with as a child protection investigation** (this may be determined after the Allegations Officer has consulted with Social Care). Subsequent action will be progressed by the Allegations Officer who will liaise with Social Care and/or the police and arrange a strategy meeting or discussion. Where a referral to Social Care is agreed, the interagency referral form must be completed by the Headteacher and forwarded to Social Care, with a copy for the Allegations Officer.

Subsequent action and risk management will be discussed at a strategy discussion/meeting, in collaboration with Social Care and/or the Police. A review meeting will also be arranged at the initial strategy meeting. The Headteacher, Allegations Officer and a representative from EPS will be expected to attend the strategy meeting along with lead officers from Social Care and the Police. Details will be confirmed in writing to Social Care by the Allegations Officer within 48 hours.

In case of any delay in convening a strategy meeting or conducting an initial evaluation with the Police/Social Care, the Headteacher must ensure, in liaison with the Allegations Officer, that a risk assessment is carried out and a risk strategy agreed where necessary.

Where a strategy meeting is not appropriate because the threshold of “significant harm” is not reached, but a police investigation might be needed, the Police will be involved to determine how the allegation or concerns should be dealt with.

□ **requires further investigation**

- **should be dealt with as disciplinary investigation** (if so, act in consultation with the Allegations Officer and EPS).
- **constitutes inappropriate conduct** which does not yet necessitate further formal investigation, but yet warrants managerial action (if so, act in consultation with EPS) □ **is unfounded** (if so, act in consultation with EPS and Social Care).

NB: There may be situations in which, where there is a Police investigation or criminal action pending, aspects of the case can still be taken forward under a disciplinary process in parallel with Police action. In other cases such action may have to await the completion of Police investigations.

Step 6 Report to OfSTED any allegation about a member of staff in a **registered child care setting** (e.g. playgroups, nurseries) which has been referred to Social Care and is dealt with as a Child Protection investigation. OfSTED helpline: 0845 6014771.

Concerns

Dealing with concerns rather than specific allegations

The above process sets out the correct response to specific allegations against a member of staff or a volunteer. However, concerns may arise about an individual as a result of a combination of apparently minor incidents, or from patterns of behaviour that raise concerns that an individual may be involved in some abuse of children or may be grooming one or more children or young people towards some future act of abuse.

Concern may arise anonymously or from observations by senior managers, reports from other staff, from parents or others outside of the school. All such concerns must be investigated and addressed in collaboration with advice from the Allegations Officer and EPS.

In such situations, the Headteacher must:

1. Carry out a preliminary investigation as in Steps 1-3 above
2. Take advice as required from the Allegations Officer as in Step 4 above
3. Address minor concerns with the individual and provide advice on future conduct to ensure there is no doubt about the expectations on the individual. The individual should also be notified that any further concerns will be taken very seriously and may result in a child protection referral or internal disciplinary action.
4. Keep on-going records of any activities or conduct that create concern or suspicion of this type and the managerial action taken. The employee must be made aware of the existence of such records. These records need to be available should a subsequent referral to Social Care be made or where disciplinary action may be required at a later stage.

Guidance for Chairs of Governors on dealing with Child Protection allegations against, or concerns about Headteachers

Introduction

As Chair of Governors, you will have a key role to play should an allegation be made, from any source, or concerns arise that the Headteacher has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or,
- behaved in a way that indicates s/he may be unsuitable to work with children

If you are told about an allegation or concern and you are not the Chair, then you should consult the Chair as soon as possible.

The process you should follow is set out in the main guidance document, to which this is an Appendix, with you as Chair of Governors carrying out the role of Headteacher as defined in that document.

Initial Action

You should obtain and countersign the record made by the person who first received the allegation, and then consult the Local Authority's Allegations Officer for schools. Do not inform the Head unless this has been agreed with the Allegations Officer, as Police or Social Care may need to be consulted.

Do not discuss details of the case with other governors or staff, as this might prejudice future criminal or disciplinary process. You should only share information on a 'need to know basis'.

Out of Hours

If you are told about a serious allegation outside normal working hours, and the Allegations Officer or Education Welfare Manager is not available, you should contact the emergency duty social worker and/or Police. Inform the Allegations Officer on the next working day.

Gathering Information

Subject to advice from the Allegations Officer, you should obtain information about the date and location of the alleged incident and the names of any witnesses. You can clarify any points you are unsure about, but do not interview the child, any possible witnesses or the Head teacher, or ask them to write an account of what happened. It is the job of Police and Social Care to investigate an allegation of child abuse.

Strategy Discussion/Initial Evaluation

Unless the allegation is demonstrably false, a multi-agency strategy discussion or initial evaluation will take place, either by phone or meeting, in order to share relevant information and determine whether an investigation needs to be undertaken, and if so by whom.

You are likely to be invited to take part, and the Allegations Officer can advise you about what to expect and what information you may be asked to provide.

Suspension

Suspension should be considered in cases where:

- there is cause to suspect a child is at risk of significant harm, or
- a police investigation is warranted, or
- the allegation is so serious, it might be grounds for dismissal

Suspension of a Headteacher would normally be carried out by a delegated governor(s), and not the full governing body, as to avoid the risk of prejudicing any future proceedings. The Chair could suspend if delay would be seriously detrimental to the school, pupil, parents or staff.

Suspension **must not**, however **be an automatic response** and alternatives may be appropriate. You must take no action on possible suspension until you have spoken to the Allegations Officer who will canvass the views of Police and Social Care. WPS will provide you with detailed advice.

The process after referral

The Allegations Officer, in conjunction with the other agencies and EPS, will advise you on the subsequent process of investigation, support and the need for formal action by other agencies.

You should keep up to date with the progress of any external proceedings, through the Allegations Officer. The processes are described in more detail in the main guidance document. Where further action is not taken by the Police or Social Care, the Allegations Officer will advise you about internal enquiries or action required, including potential disciplinary action or advice/guidance.

Confidentiality

Every effort should be made to maintain confidentiality and guard against unwanted publicity. You should contact the Allegations Officer for advice about sharing information with pupils, parents or staff. S/he will consult with the Police, Social Care and the HCC Press Office regarding any statements to be made to the press.

Support

You should check with the Allegations Officer about how best to inform the child's parents/carers and keep them up to date about the allegation. Police and Social Care may need to be consulted about what information to give them and how the child/ren should be supported.

The Allegations Officer, in conjunction with EPS, will advise you to ensure the Head is supported e.g. through occupational health, employee welfare arrangements, and/or the Diocese where appropriate. You should advise the Headteacher to speak to his/her professional association, if a member.

If the Head is to return to work, you will also receive advice on how this should be achieved and supported e.g. by a phased return and/or mentoring.

If you need support or advice yourself, you should contact EPS and/or the Allegations Officer.

Record Keeping

A comprehensive summary of the allegation, how it was followed up, the decisions and action taken, should be made and kept securely on the Head's confidential personnel file, and s/he provided with a copy.

Further Guidance

Specific guidance for education, including **"Safeguarding Children in Education: Dealing with allegations of abuse against teachers and other staff"** DfES/0027/2005, can be found at:

<http://www.teachernet.gov.uk/childprotection>

This guidance should be read alongside the Child Protection Policy