

# Chilmark and Fonthill Bishop Voluntary Aided Primary School

Mission Statement: *We Live and Learn with Faith and Love*

## **Policy and Procedures for Dealing with Allegations of Abuse Against Teachers and Other Staff.**

### **Introduction:**

This policy is based upon the advice in the DFE document “Working together to Safeguard Children: Dealing with Allegations of Abuse Against Teachers and other Staff” dated March 2010. Chilmark and Fonthill Bishop School seeks to follow the procedures set out in that document. It also draws on advice given by the Children and Young People’s section at Wiltshire County Council. Liaison with the Wiltshire Safeguarding Children Board should be sustained throughout an investigation

### **Aim:**

The aim of this policy and set of procedures is to ensure that an allegation of abuse is dealt with fairly, quickly and consistently in a way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

### **Parameters:**

This policy is to be used in cases where it is alleged that a teacher or member of staff 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
- Behaved towards a child/children in a way that indicates s/he is unsuitable to work with children.

### **Reports of Allegations:**

Any allegation against a teacher or member of staff should be reported to the Head without delay. In the absence of the Head, or if it concerns him, the report should be made to the Chair of Governors who can be contacted through the school.

The Head (or Chair of Governors) should consider the allegation and if the allegation falls into any of the 3 parameters above he should then contact the Designated Officer at Wiltshire Council

Any allegation made directly to the police should be reported to the Designated Officer and the Head by the police liaison officer.

**Initial Consideration:**

An investigation does not take place at this stage. The Designated Officer (DO) and Head will discuss the situation, obtain further details where necessary, and establish the circumstances. If the allegation is not patently false and there is the possibility of suffering of a child, or potential further harm then the DO will refer to children's social care asking for a strategy discussion (to include the DO and the Head). If the allegation is not patently false, then the DO and Head will discuss the method for informing parents. In some cases, the parents may have already been informed (eg in the case of hospital treatment). Other confidentiality should be preserved. The police and Press self-regulation system provide safeguards against the publication of inaccurate or misleading information. The Head should inform the person who is subject of the allegation though in the case of a strategy discussion police must be consulted before the subject of the allegation is informed. When the subject is informed s/he should be advised to contact his/her union or professional association.

In cases where the threshold of "significant harm" is not reached a strategy meeting is not necessary but a police investigation may be needed the DO must contact the police to discuss this possibility. As with the strategy meeting the initial discussion need not be a face to face one.

If a criminal investigation is required, the police will seek to complete their enquiries as soon as possible. If the police/CPS choose not to charge the individual they should pass on all information which they have which may be relevant to a disciplinary hearing. Similarly, information from a children's social care enquiry will be passed on to the school.

If a person is convicted of an offence the school will be informed by the police so that appropriate action can be taken.

**Suspension:**

Suspension of the subject of the allegation should be made if there is a possibility of harm to a child, if there is a police investigation or if the allegation could result in dismissal. In other cases suspension is a possible course but alternative arrangements or allowing the staff member to continue in post should also be considered. The power to suspend lies wholly with the school.

**Disciplinary Matters:**

If it is decided that a strategy meeting is not necessary and no police action is necessary then the Head and DO, often in conjunction with the Chair of Governors will decide what internal investigation should be mounted. In simple cases this may be carried out by a senior teacher. In more complex cases an outside investigator may be necessary. The DO will advise the school. The Head should institute appropriate action within 3 working days.

If a disciplinary hearing is required and can be conducted without further investigation, then it should be held within 15 working days.

If further investigation is required a report should be made to the Head within 10 working days. The Head should then consult the DO within 2 working days and if a hearing is needed it should be held within 15 working days. Information from children's social care enquiries should be considered in disciplinary cases.

If a resignation is received or a "compromise-agreement" is reached the investigation should nevertheless continue to safeguard present and future children.

**Record Keeping:**

Detailed notes of the allegations and the steps of the procedures followed should be kept on a person's file. They should be kept on the file until the person reaches retirement or for 10 years after the allegation, whichever is the longer.

**Return to work:**

If on the conclusion of investigations, the subject of the allegations returns to work then consideration must be given to how best facilitate this in what may be difficult circumstances. This may involve keeping the subject of the allegation and the bringer of the allegation apart.

**Referrals:**

If on conclusion of a case the school ceases to use a person's services, then the school should consult the DO about whether a referral to the DfES should be made. If a referral is necessary, it should be made within one month.

If an allegation is found to be malicious then consideration of the position of the bringer of the allegation should be made. Consideration about their welfare should be made. Disciplinary action against them may be taken by the school in some circumstances and the police may decide to take action themselves.

**Adopted: Sept 2016**

**Review Date: Sept 2017**

**Next Review: Sept 2018**