



SAFEGUARDING CHILDREN AND SUPPORTING STAFF

THE MANAGEMENT OF ALLEGATIONS AND CONCERNS REGARDING STAFF IN EDUCATION SETTINGS

The following is based on 'Keeping Children Safe in Education' 2016. 'Working Together to Safeguard Children' 2015 and dealing with allegations of abuse against teachers and other staff: Guidance for local authorities, headteachers, school staff, governing bodies and proprietors of independent schools 2012 and national guidelines agreed between representatives of the Local Education Authorities and the teacher organisations in England and Wales.

These procedures apply to all staff, including contracted staff and individuals working in a voluntary capacity on or off school premises.

➤ Introduction

- Staff play a crucial role in noticing indicators of possible abuse or neglect and in referring concerns to the Designated Person for Child Protection. The school will contribute important information to any child protection referrals are made.
- Staff can also be vulnerable to accusations of abuse, children and young people sometimes make false allegations to draw attentions to problems experienced elsewhere in their lives or because they have misinterpreted an incident. It is also regrettable that there are occasions when allegations are substantiated.
- All staff contribute to child protection by helping to create a safe environment for children and young people. Children can be helped to understand what is acceptable behaviour, how they can stay safe from harm and how to speak up if they have worries.
- Staff must also be aware of behaviour that is acceptable and behaviour that might make them vulnerable. Guidelines for staff working with children and young people help minimise risk for all concerned.
- Any instance of a pupil being abused by a member of staff is particularly serious. Equally, for an innocent person to be subject to what may be a lengthy period of investigation and possibly suspension, coupled with the threat of possible arrest, is a serious ordeal. Such experience can result in long term damage to a person's health and career.
- Arrangements therefore for managing concerns or allegations of this nature should be robust and effective in keeping children safe. All allegations should be taken seriously, approached with an open mind, and not driven by preconceived opinions about whether a child has or has not been harmed.
- Measures put in place in managing enquiries should be proportionate and timely, open to challenge, and in the best traditions of collaborative working, as set out in statutory guidance.
- **All efforts should be made to bring matters to a clear conclusion to safeguard children and staff alike.**

➤ Roles and Responsibilities

- **The Head** of the school is responsible for dealing with allegations against members of staff (in the absence of the HT, or if the allegation concerns the HT, the Chair of Governors must be contacted and also for creating a safe environment, which includes appointing a Designated Person for Child Protection.

- **Designated Person for Child Protection** - A senior member of staff with responsibility for coordinating action on general child protection issues. Other than where the Head Teacher also holds this role, the Designated Person should not take responsibility for managing allegations against staff.
- **The Governing Body** - are responsible for ensuring that there are sufficient measures in place to safeguard the children in school.
- **A Nominated Governor** may act on behalf of the corporate body.
 - The Nominated Governor liaises with HT and ensures that an appropriate child protection policy and procedures are in place (which include allegations against staff); and reports to governors.
 - Where an allegation is made against the Head Teacher, the **Chair** takes responsibility for managing the case and for liaising with the LA Lead Officer (LADO) and investigative agencies. The Chair can also be the Nominated Governor,
 - The Governor who takes responsibility for managing an allegation against the Head Teacher should not become part of any following disciplinary board on the same matter.
- **LADO** - The LADO offers advice and support, oversees the case and liaises with Police and Social Services as appropriate. This officer is also responsible for maintaining records relating to allegations against staff.
- **Police** -The Police have a duty to investigate criminal offences committed against children. Such concerns involving the family, other carers or staff working with children, should be handled by the Police Child protection and Sexual Crime Unit. A senior officer will oversee cases involving staff and be responsible for ensuring effective liaison with other agencies.
- **Social Care/Social Services** - Social Services have a duty to safeguard and promote the welfare of children in their area who are in need, and to make enquiries if they have reason to suspect a child is suffering or likely to suffer significant harm. There should be a senior officer who has oversight of cases involving professionals and ensuring effective liaison with other agencies.
- **Personnel Officer/HR Provider** - This officer will offer advise and support to Head Teachers and Governors on issues related to employment i.e. recruitment, retention and disciplinary matters. They also have a role in providing investigative agencies with relevant personnel detail in cases of allegations against staff.

➤ **Principles**

- The Head Teacher and Designated Person ensure that staff and pupils are aware of how to report concerns of abuse and neglect. Protection from abuse is the responsibility of all.
- Allegations or concerns made by or on behalf of a child should always be taken seriously and referred to the investigating agencies, as appropriate.
- Investigations should be conducted in a way that recognises the vulnerability of both children and staff. Investigations must be dealt with quickly, fairly and impartially.
- These procedures must be applied when there is a concern or an allegation that any person who works with children and young people, in connection with his/her employment or voluntary activity, 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 towards a child or children in a way that indicates s/he would pose a risk of harm.

- Any allegation of abuse made by a child or young person against an adult who works in any of these settings must be investigated through these procedures
- These procedures do not apply to matters that amount to bad or poor practice, which remain within normal line management arrangements.
- The procedures will also apply where:
 - It is discovered that a person who is or has been working with children or young people has been previously involved in child abuse
 - An allegation of abuse has been made against a person working with children but the allegation does not relate to the working environment eg. allegations by their own children.
 - An allegation of abuse is made against a partner, member of the family or other household member, which gives rise to concerns about the safety of children or young people with whom the person has contact within his/her work or voluntary activity.

➤ **Safeguarding - Reducing the Risk**

We can be proactive in reducing the risk of child abuse taking place and in reducing the vulnerability of staff to unfounded allegations by:

- Developing a safeguarding ethos in which pupils and staff can express their concerns. Safeguarding policies and procedures are accessible to all.
- Adopting safe recruitment and termination of employment practices.
- Ensuring that all staff receive appropriate training in child protection - signs/symptoms and referral procedures - as well as procedures in responding to allegations against staff.
- Ensuring staff understand what is safe practice. All staff therefore, should be provided with clear and relevant codes of conduct.
- Ensuring that vulnerabilities expressed by staff are taken seriously and responded to at the earliest stage.
- Conducting risk assessments following allegations to reduce the likelihood of repetition.

➤ **Raising Concerns**

- Staff should be aware that children and young people may feel unable to express concerns. All staff should therefore be aware that they have a legal duty to take action if the concern is about the safety of children and to voice concerns about the attitude or actions of their colleagues in accordance with the relevant whistleblowing policy. This should be given to all new employees and made available to all staff.
- If a member of staff believes that a reported allegation or concern is not being dealt with appropriately, she/he should report the matter to a senior person within their agency, to their designated/named officer for child protection or the Local Authority Designated Officer in line with Halton Safeguarding Policy. Halton's LADO can be contacted by calling 0151 5117229. Further information about Halton Managing Allegations Procedures can be found at www.haltonsafeguarding.co.uk
- Historical allegations should be responded to in the same way as contemporary concerns. It is important to establish if the person is still working with children and if so inform the current employer or voluntary organisation.

➤ **Allegations Against Staff in their Personal Lives**

- If an allegation of abuse or neglect of a child, outside of the work environment, is made against a person known to be working with children in a paid or voluntary capacity, and gives cause for concern about the children with whom they have contact during the course of

their work, the Local Authority Designated Officer should be advised and this procedural guidance will apply.

- This procedure will also apply where an allegation of abuse or neglect is made against a family member or close associate of a person known to work with children, and there are concerns that the accused person has or may have contact with the children for whom that member of staff or volunteer has some responsibility. For example where there is an allegation against a family member of a foster carer.
- If an accused member of staff has children of their own, or involved in out of school activities that involve children, a consideration of risk to these children must also be given.
- If these children reside outside this authority, or the activities with children occur outside of this authority, it is the responsibility of local investigative agencies to notify their counterparts in the other authorities concerned.
- Where child protection concerns occur within the member of staff's own family, there may be implications for children in their place of work too. In these circumstances consult the LADO

➤ **Initial action by person to whom a concern or allegation is reported**

Concerns or allegations may be brought to the attention of a member of staff in various ways, including behaving in a manner that raises concern.

➤ **Staff actions:**

- **The person to whom an allegation or concern is reported should:**
 - Treat the matter seriously
 - If a child makes a disclosure of abuse to you:
You should:
 - Listen and keep calm. Do not interrupt
 - You **MUST NOT** promise the child that you will keep the matter confidential. Explain to the child who you will need to tell and why
 - Observe visible bruises and marks, but do not ask a child to remove or adjust their clothing to observe them
 - Keep questions to a minimum as your role is not to investigate. If you need to ask questions in order to ascertain whether this is a safeguarding concern, ensure they are open questions
 - Use the "TED" model for asking open ended questions: "Tell me about that", "Explain that to me", "Describe that"
 - Make a record of what has been said immediately afterwards in words used by the child and yourself to the best of your memory. Use capital letters for the child's words to help distinguish between the two.
 - Note anything about the child which is connected i.e. any visible injuries including the position and description, the demeanour of the child i.e. crying, withdrawn etc.
 - Clearly indicate whether fact, opinion or third party information
 - Report the matter immediately to the Senior Designated Person
 - Where the designated senior manager is either the subject of or implicated in the allegation, their line manager should be informed
 - If in doubt seek advice from the Senior Designated Person
 - Make a written record of the information (where possible in the child's own words) including the time, date and place of incident(s), persons present and what was said.
 - Sign and date the written record

You should not:

- Ask leading questions, put words into the child's mouth or press for details
- Rush the child
- Examine the child
- Investigate
- Promise confidentiality
- Summarise or use your own words to describe events
- Delay sharing the information with the Senior Designated Person
- Attempt to investigate

➤ **Initial Action by the Head Teacher /Chair of Governors /Senior Manager**

When informed of a concern or allegation, the designated senior manager should not investigate the matter or interview the member of staff, child or potential witnesses. But should:

- Obtain the written details of the concern/allegation, signed and dated by a person receiving the information (not the child/young person making the allegation)
- Countersign and date the written details
- Record any information about times, dates and location of incident(s) and names of any potential witnesses
- Record any discussions about the child and/or member of staff, any decisions made, and the reason for those decisions - even when the decision is no further action.

➤ **Initial Considerations**

- Consultation must take place between the HT and the LADO. All allegations must be recorded clearly and accurately. Copies of documents relating to the incident and referral details must be forwarded to the LADO.
- If the allegation meets the criteria, the Designated Senior Manager should report it to the Conference and Reviewing Unit within one working day. Referral should not be delayed in order to gather further information. The referral can be made verbally but must be followed up in writing within 3 working days.
- Demonstrably false allegations at the outset can be dealt with internally by the school.
- All discussions with the LADO should be recorded, including any decisions made, along with their justification.
- The LADO may require further information, which could necessitate asking minimal questions, if these had not already been established i.e.
 - was the pupil in school on that day?
 - could the pupil have had contact with the member of staff?
 - Are there any potential witnesses?

The Head Teacher and LADO must consider the allegation and determine the appropriate way forward.

It is important to recognise that establishing whether an allegation warrants further investigation is not the same thing as deciding whether an allegation is founded.

➤ **Options**

Consultation with the LADO will help to decide between the following actions:

- Immediate referral to Police and SSD under local Child Protection Procedures.
- Further local enquiries to be made to gather more information.

- The allegation may have been prompted by inappropriate behaviour by the member of staff but does not amount to a child protection concern = disciplinary procedures might follow.
- The allegation was apparently without foundation. This situation might arise out of misunderstanding, maliciousness or possibly abuse occurring elsewhere in the child's life. The former two positions require action on the part of the school to minimise further risk to staff and where appropriate, address the pupil's behaviour.

➤ **Allegations requiring immediate referral to the Child Protection**

Agencies (Police and Social Services)

- Where a pupil has suffered, is suffering, or is likely to suffer significant harm, Social Services/Care have a duty to make enquiries in order to protect the child. The harm may be of a physical, sexual, or emotional nature, or as a result of neglect.
- Where it is alleged that a criminal offence has been committed against a pupil, the police will be required to make any necessary enquiries. Any physical assault (including threat of) may constitute a criminal offence and consequently the threshold of significant harm does not always need to be met.

➤ **Referral**

- Where the Head Teacher and the LADO decide that the allegation needs to be referred as a child protection matter, the LADO should ensure that this is done. A telephone referral is made to Social Care and confirmed in writing within 48 hours.
- Social Care acknowledge the written referral within one working day of receipt.
- Any internal disciplinary investigation should be held in abeyance pending the outcome of police and social services investigations, avoiding contamination of evidence. (NB There are rare exceptions to this rule, but agreement **must** be obtained from these agencies).

➤ **Strategy Discussion**

- Following a referral to Social Care a Strategy Discussion will take place between them and the Police usually within 48 hours.
- The purpose of this meeting will be to share information and decide whether a child protection and/or criminal investigation is necessary.
- If an investigation is to take place, or further enquiries are to be made, the meeting will decide how this is to be done e.g. who to interview, when and how.
- The meeting will also be required to make a recommendation as to whether the member of staff should be suspended whilst investigations take place. The decision to suspend however, rests with the Head/Governing Body.
- Any investigation will need to take place within the wider context of assessing the child's needs.

➤ **Notification of Interested Persons**

- The Local Authority Designated Officer will advise the employer about the point at which a person against whom the allegation has been made can be informed. It is important that the timing of this does not impede any investigations. It is likely therefore that the Local Authority Designated Officer will consult with the Police and/or the relevant Children's Social Care.
- The police may decide that enquiries might be hindered by an early approach to parties, or that certain information should not be divulged to them.
- Subject to there being no objection, the Head Teacher/Governor should inform:

- The parent (and where appropriate the child) to explain the action taken by the school/establishment e.g. referred to social care/police.
- The accused member of staff to explain, the likely course of action. At this early stage, it is advisable to explain only that an allegation of a child protection nature has been made.
- The Chair of Governors. At this stage only general information should be shared i.e. that an allegation has been made and whom it concerns.
- The director of the agency if the member of staff is employed through an agency.
- Where investigative agencies have objection to information being shared, it is the responsibility of the LADO to arrange regular review of this decision.
- **Information should not be withheld from the member of staff without good reason.**

➤ Confidentiality

Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered. Information should be restricted to those who have a need to know in order to protect children, facilitate enquiries, and manage related disciplinary and /or suitability processes or protect any rights of the accused person. Police will not normally provide identifying information to the press or media, unless and until a person is charged, unless there are exceptional circumstances, e.g. an appeal to trace a suspect. The reasons should be documented and partner agencies consulted before any press statements are released.

- If a strategy discussion/initial evaluation is to be held or if Children's Social Care or the Police are to make enquiries, the Local Authority Designated Officer should canvas their views on suspension and inform the employer. Only the employer, however, has the power to suspend an accused employee and they cannot be required to do so by the Local Authority or Police.

➤ Timescales

It is in everyone's interest for cases to be dealt with expeditiously, fairly and thoroughly and for unnecessary delays to be avoided. The target timescales provided in these procedures are realistic in most cases, but some cases will take longer because of their nature, seriousness and complexity. The aim should be to resolve 80% of cases within 1 month, 90% within 3 months and all but the most exceptional cases within 12 months. It is recognised, however that cases requiring a criminal prosecution or complex police investigation may not be completed in less than 3 months.

➤ Suspension from work and alternative duties

- The decision whether to suspend the member of staff whilst investigations take place rests with the Head Teacher and/or Governing Body. They should however, make an informed decision by seeking a recommendation from the Strategy Meeting.
- **When allegations have been made, suspension should not be an automatic response.**
- The following criteria should be met in order to justify the suspension of a member of staff in education:
 - There is cause to suspect a child is at risk of harm, or
 - The allegation warrants investigation by the Police, or
 - The allegation is so serious that it might be grounds for dismissal
 - There is evidence/information to indicate that the person might/has interfered with the investigation or intimidated witnesses where a child or children is/are at risk of significant harm.

- Suspension may be considered at any stage of an investigation. It is a neutral act, not a disciplinary sanction and will be on full pay.
- Where suspension is considered, the Head Teacher should arrange an interview with the staff member, they may be assisted by a union representative or friend.
- At the outset of the interview, the HT should inform the member of staff an allegation has been made and at the end of the interview there may be a decision to suspend, whilst further investigation takes place.
The member of staff should also be told:
 - that this interview is not a formal disciplinary hearing or examination of the evidence, but an opportunity to make representations after the reasons for any proposed suspension have been given.
 - that he/she may have a brief adjournment prior to giving a response.

The member of staff should be provided with as much information as is consistent with not interfering with an investigation about the allegation. Advice should be sought from the investigating authorities and LADO in advance of this meeting.

➤ **Immediate action following suspension**

- If suspension is considered necessary, the HT should advise the member of staff and confirm the decision and reason in writing within one working day.
- The Head Teacher should inform the Chair of Governors and the LA formally in writing (The Chair of Governors should inform the Local Authority if a HT has been suspended).
- The Head Teacher sends a report to the Governing Body informing them that a member of staff has been suspended. The report should only contain minimum information to avoid prejudicing their impartiality in any subsequent hearing.

➤ **Persons to be informed of the suspension**

- The pupil or parent making the allegation should be informed of the suspension and asked to maintain confidentiality.
- Senior members of staff should be informed of the reasons for suspension but informing staff that an allegation has been made and whom it concerns.
- The HT should also consider whether it is necessary to inform other members of staff. Advice should be sought from the LADO and Strategy Group on this matter.
- In certain circumstances, the HT may need to provide immediate reassurance to parents and children. Again, advice should be sought from the LADO and Strategy Group on this matter. Any action should be considered against the need to avoid unwelcome publicity.

➤ **Review of suspension**

- All suspensions must be kept under constant review and are subject to a formal review with the staff member and his/her professional association/union after one month.
- The aim should be to ensure that suspensions are kept as short as possible.
For further guidance on deciding upon and managing suspensions see www.teachernet.gov.uk/docbank/index.cfm?id=6237

➤ **Suspension of a Governor**

In certain prescribed circumstances the governing body can decide to suspend a governor for a period of up to 6 months - but it does not have to do so (School Governance procedures - England -

Regulations 2003). The governing body can only suspend a governor if one or more of the following grounds apply:

- The governor is paid to work at the school and is the subject of disciplinary proceedings in relation to his/her employment;
- The governor is the subject of any court or tribunal proceedings, the outcome of which may be that he is disqualified from continuing to hold office as a governor under schedule 6 of the regulations; or
- The governor has acted in a way that is inconsistent with the schools ethos or with the religious character and has brought or is likely to bring the school or the governing body or his office of governor into disrepute;

or

- A governor is in breach of his duty of confidentiality to the school, staff or to the pupils.

➤ **Resignation and Compromise Agreements**

Every effort should be made to reach a conclusion in all cases even if:

- The individual refuses to cooperate, although s/he should be given a full opportunity to answer the allegation and make representations
- It is difficult to reach a conclusion
- It may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete
- Compromise/settlement agreements must not be used i.e. where a person agrees to resign with no disciplinary action, and an agreed future reference, if the member of staff is not suitable to continue in their employment with children.

➤ **Referral to DBS or Regulatory Body**

If the member of staff is found not suitable to work with children *Beechwood Primary School* will refer the individual to the Disclosure and Barring Service (DBS) for consideration for barring. This includes where the member of staff resigns prior to conclusion of the investigation, the member of staff is dismissed, or when the school ceases to use their service as a result of a substantiated allegation. Where appropriate, consideration will also be given to referral to the National College for Teaching and Learning for possible prohibition from teaching.

- If it is agreed that a referral is required or desirable, the Local Authority Designated Officer should advise on the form and content of such a referral.

➤ **Support for the Accused Member of Staff**

- Whether the member of staff is suspended or not, the impact of being subjected to child protection and/or criminal enquiries should not be underestimated. Employers have a duty of care to their staff and therefore the offer of appropriate support is essential.
Recommended supports:
- A link person should be identified to keep the member of staff up to date with the development of the investigations. The link person will need to confirm with the investigating agencies what information can be shared and when.
- The member of staff should be advised to seek help from their union or professional organisation. This should be viewed as additional support, the employer has a duty of care.
- Confidential counselling should be offered via Occupational Health or HR provision.
- The member of staff can also be reminded to use the services of their own GP.

- Where the member of staff has been suspended or offered duties away from school, a senior colleague should be identified to keep them up to date with events. This person must be directed not discuss the investigation.
- The distress caused by an allegation is likely to mean that significant information might not be absorbed by the accused member of staff, particularly when they are first told, therefore provide written information which they can take away to digest.

➤ **Action during child protection/criminal investigations**

- Staff have a duty to assist the police and social services with child protection enquiries. Police should not normally conduct interviews on school premises, but where this is necessary, the interviews should be conducted at reasonable times.
- Staff must maintain confidentiality about the enquiry, other than fulfilling their obligation to assist police and social services.
- The LADO should maintain records for each case and monitor progress by seeking regular updates from the investigating agencies, and where appropriate the CPS.
- The LADO should also clarify what information can be shared with the member of staff concerned, to ensure regular briefings

➤ **Where criminal or child protection actions are not required**

Where the strategy discussion decides that a child protection or criminal investigation is not required, the HT, in consultation with the LADO and the Human Resources Officer, should consider whether to:

- Take no further internal action.
- Issue an informal warning and/or professional advice.
- Instigate an investigation under disciplinary procedures.

Action in respect of Unsubstantiated Allegations

Where it is concluded that there is insufficient evidence to substantiate an allegation, the chair of the strategy meeting should prepare a separate report of the enquiry and forward this to the designated senior manager of the employer to enable her/him to consider what further action, if any, should be taken.

Action in Respect of False Allegations

False allegations are rare and may be a strong indicator of abuse elsewhere which requires further exploration. If an allegation is determined to be false, the employer, in consultation with the Local Authority Designated Officer should refer the matter to Children's Social Care to determine whether the child is in need of services, or might have been abused by someone else.

- If it is established that an allegation has been deliberately invented, or is malicious, the Police should be asked to consider what action may be taken.

No further action

- If it is decided that no further action should be taken, the HT, in consultation with the LADO and Human Resources Officers, should inform the member of staff orally and in writing - confirming that no action under disciplinary or child protection procedures will be taken. In advance of meeting the member of staff, they should be advised that they may be accompanied by a friend or union representative.
- A record of this decision and the actions taken must be kept by all parties.
- Consideration should be given to the provision of support or counselling for the member of staff concerned.
- The HT, in consultation with the LADO should inform the child and Parents of the outcome. If dissatisfied, they should be advised of the Council's Complaints Procedure.

- Consideration should be given to the provision of support for the child, and where appropriate, the parents.
- Where no further action has been decided because the allegation was demonstrably false and malicious intent was **evidenced**, a plan to address the child's behaviour should be agreed, with the involvement of those with parental responsibility.

Issue an informal warning and/or professional advice

- Where appropriate to offer an informal warning, consultation should take place with HR and LADO. The member of staff should be informed orally and in writing within 3 working days. In advance of meeting the member of staff, they should be advised that they may be accompanied by a friend or union representative.
- A record of the decision and advice/warning given must be kept by all parties.
- Any additional guidance or training required should be recorded and acted upon.
- The child and parents should only be informed that the matter has been taken seriously and that it is being dealt with in accordance with the correct internal procedures. Further information and outcomes remain confidential and should not be released.

Instigating an investigation under disciplinary procedures

- If a disciplinary investigation should take place, the HT, in consultation with the LADO and Human Resources Manager, appoints someone to conduct the investigation.
- If further investigation is needed to decide upon disciplinary action, the employer and the Local Authority Designated Officer should discuss whether the employer has appropriate resources or whether the employer should commission an independent investigation because of the nature and/or complexity of the case and in order to ensure objectivity.
- The aim of the investigation is not to prove or disprove an allegation, but to obtain, as far as possible, a fair, balanced and accurate record in order to consider the appropriateness of disciplinary action and/or the individual's suitability to work with children. All possible steps must be taken to avoid repeated interviewing of children.
- If, at any stage, new evidence emerges which make a referral to Children's Social Care and/or the Police necessary under child protection procedures, the investigation should be adjourned and only resumed if the Police or Children's Social Care indicate that it will not interfere with any child protection enquiries or criminal investigations. Consideration should also be given as to whether the accused person should be suspended pending the conclusion of the investigations.
- The investigating officer should aim to provide a report within 10 working days. On receipt of the report, the employer should decide whether a disciplinary hearing is needed within 2 working days and if so, the hearing should be held within 15 working days.
- A written record of the outcome of any disciplinary investigation must be retained indefinitely on the member of staff's personal and confidential file.
- If the member of staff is dismissed, he/she should be informed about the employer's statutory duty to report their case to the Department for Education and Skills Teachers' Misconduct Team, for consideration of debarring from further employment with children.
- If the employee resigns before the disciplinary process is completed, the employer is not obliged to accept the resignation and appropriate attempts should be made to complete the process, so that the matter can be brought to a proper conclusion.
- Where a pupil has made an allegation, a copy of the statement or the record made of it should be kept on the section of a pupil's file, which is not open to general disclosure, together with a written record of the outcome of the investigation. If there are related child protection concerns, records may be subject to disclosure; and, therefore, no assurances can be given regarding total confidentiality.

Sharing information for Disciplinary Purposes

The Police and Children's Social Care should, during the course of their investigations and enquiries, obtain consent to provide the employer and/or regulatory body with statements and evidence for disciplinary purposes. If the Police or Crown Prosecution Service decide not to charge, or decide to administer a caution, or the person is acquitted, the Police should pass all relevant information to the employer without delay. If the person is convicted, the Police should inform the employer straight away so that appropriate action can be taken.

➤ **Agency Staff and Volunteers**

- Where a concern of a child protection nature is alleged in relation to a supply teacher/worker (from an agency or self employed), trainee teacher or a volunteer, the matter should be dealt with in the same way as employed staff.
- Where there are related concerns of a conduct or competency nature, it is the responsibility of the HT, in conjunction with the LA Lead Officer and Human Resources Manager, to deal with the matter in accordance with the school's disciplinary procedure.
- Liaison with a senior representative of an agent supplying a member of staff should also take place.
- An agent might include, for example:
 - An employment agency providing supply teachers/workers.
 - A training college placing a trainee teacher at a school as part of PGCE course.
 - A contractor providing services such as catering.
 - A voluntary organisation providing people to work with children.

➤ **Managing the Aftermath**

- Whether an allegation has been founded, unfounded or unsubstantiated, a debriefing involving the school, LA and where appropriate investigative agencies should take place.
- The impact on individuals concerned and the general morale within the school should be considered so that additional supports can be put in place.
- Risk assessments should also be considered in relation to any practices which have made either staff or children vulnerable.

For more detailed guidance on managing the aftermath of an allegation see www.teachernet.gov.uk/docbank/index.dfm?id=6236

Signed _____

Date _____ **October 19**