

# **DOROTHY GOODMAN SCHOOL**

## **CHILD PROTECTION**

### **POLICY STATEMENT**

#### **Definition of Child Protection**

Child abuse happens to children of both sexes, at all ages and in all cultures, religions & social classes. It happens both to children with and without disabilities. It can happen to children who attend Special Schools, and indeed it is known that there is a greater incidence of abuse amongst children with special needs than in the general population.

Child Protection means protecting children against abuse and non-accidental injury, and ensuring that robust procedures are in place to do so.

#### **Ethos of the School**

A powerful protecting factor for children is the prevailing climate within the school. At Dorothy Goodman all staff should know that:

We put children and their individual needs and welfare first

We have within school an open ethos, where matters can be discussed freely, and where staff feel comfortable to report and discuss any matter with the Headteacher

All practice should be scrutinised openly and carefully to make sure that it is best practice

All staff are treated equally in respect of Child Protection, and all staff are under the same requirements to work with children in an appropriate manner

There are links between the Child Protection Policy and the Safeguarding Children Policy and both should be read in tandem.

#### **Definition of Child Abuse**

Abuse can be:

a) Physical injury. Look out for:

bruises; fingertip bruising (where it is possible a child may have been grasped); bruises of different ages in the same place; bruises with no obvious explanation; bruises to non-mobile children;

marks that may have been caused by burns or bites;  
large numbers of different-aged scars; unusual shaped  
scars; scars that indicate a child may not have  
received medical treatment;

fractures, or unexplained pain in non-mobile  
children;

b) Emotional Abuse. Look out for:

abnormally passive, lethargic or attention-seeking  
behaviour; new habit disorders, e.g. smearing,  
self-harm etc.; excessively nervous behaviour not  
otherwise explained;

c) Sexual Abuse. Look out for:

recurring urinary infections; genital and rectal itching  
and soreness; unexplained bleeding & discharges;  
bruising in the genital regions; sexual behaviour which  
is inappropriate to a child's age, development or  
circumstances; sexual knowledge above the level that  
might be expected; sexually abusive behaviour  
towards other children;

d) Neglect. Look out for:

children who appear undernourished in relation to their  
potential growth; consistently dirty clothing or nappies;  
constant tiredness; children known to be exposed to  
inadequate, dirty or cold environments; children denied  
appropriate medical treatment or adequate adult  
supervision;

## **Responsibilities**

Every adult who comes into the school has a responsibility for Child Protection. It is a matter for everyone. In this respect there is no hierarchical demarkation, and every member of staff must consider it their duty to look out for warning signs and to report anything noted to the Headteacher without delay. Similarly this applies to visitors and visiting students. To this effect the following guiding principles operate:

1. All members of staff, visiting students, and regular visitors will receive a copy of the Leicestershire Education Authority's Child Protection leaflet. A supply of these leaflets will be maintained in school and distributed by the Headteacher. It is the responsibility of every adult to make themselves familiar with the contents of this leaflet.

2. Adults should listen to children with belief.
3. Adults should be aware of explanations given by children which are inconsistent with what is known or observed.
4. Where there is concern the matter must be reported immediately. There should be no delay.

### **Training**

The Headteacher and the designated Governor will be responsible for arranging appropriate training, and for reporting on what training has taken place to the Governing Body. Regular up-date training should be made available to all staff every three years, and staff across classes should have the opportunity, on a rolling basis, to attend the Local Authority's one day course on Safeguarding Children.

The Designated Senior Persons for Child Protection, who will normally be the Head Teacher and the Deputy Head, will attend up-date training every two years.

### **Taking Action**

Any action taken is in line with the following documents:

The local Safeguarding Children Board procedures ([www.lscb-llr.org.uk](http://www.lscb-llr.org.uk)):  
DfEE Circular 10/95

We as a school are mindful that it is our role to report our Child Protection concerns to Social Services, but not to investigate. We will co-operate with all agencies, either to prevent a child being placed on the Child Protection Register, or during an investigation, or to carry out the Action Plan once registration has taken place. Within the constraints of what is advisable and possible, we will always endeavour to support the children and families involved to the best of our ability.

### **Procedure for Reporting Concerns**

Where an adult has a concern that a child may have been mistreated, either physically, emotionally, sexually or by neglect, the following steps should be taken:

The matter **must** be reported **immediately**.

The matter **must** be reported to the **Headteacher**.

If the Headteacher is not in school, then it should be reported to the **Deputy Headteacher**; if neither are in school then the Assistant Head should be contacted, or the senior member of staff in charge at that moment;

Keep the matter **confidential** to as few people as need to know  
(following the advice of the Headteacher).

*These instructions apply across both sites.*

## Next Steps

The Headteacher and the Deputy Headteacher are the designated senior people in school responsible for child protection. Once a concern has been reported to them it is therefore their responsibility to decide what steps to take next, as follows:

1. The person reporting the incident will always be asked to make a written account – specifying the details of what has occurred, been said or been noticed; the time and date it was noticed; who noticed it; the condition of the child etc., as appropriate. These will then be signed, attended to and filed confidentially.

The school's incident recording sheet may be used, unless a more lengthy account is required, in which case it will be written on a separate piece of paper.

2. The Headteacher (or Deputy Head in the Head's absence, or next Senior Person in the event that both are absent) may want to see the child, to inspect bruises, condition of clothing etc.. If so, this should always be done in the presence of a witness. No inspection of sensitive body areas should be attempted: instead the advice of the school nurse or of social services should be sought.

3. The Headteacher will make a decision as to whether anyone else needs to be informed, e.g. class teacher, class staff, school nurse etc.. For all other people in school the matter will remain confidential.

4. The nominated Governor for Child Protection will always be informed, and will discuss the matter with the Head.

5. The Headteacher will make a decision as to whether the matter is sufficiently serious to report to Social Services. If the matter is not obviously serious then a decision may be taken to discuss it with parents in order to ascertain more information. Further action will then depend on the response received.

If it is sufficiently serious, or if there is any doubt, or if there are repeated concerns about one particular child, then the Duty Officer at Hinckley Social Services should be informed, on:

Hinckley 636964

It is the responsibility of the Headteacher only to make this phone call.

If Social Services are contacted, then advice should be sought from the Duty Officer as to how parents will be informed.

6. The person making the report will be informed of any decisions, and may be asked to co-operate with Social Services or with the Police in any investigation.

7. If there is an allegation of abuse against an adult in the school, then it must be reported to the Headteacher in the normal way, and will be investigated in the normal way.

8. If there is an allegation against the headteacher, then it must be reported to the Education Department (Access & Welfare Service - 0116 265 6324), and to the Chair of Governors.

The current Chair of Governors is Mr. Jeffrey Bowes – 02476 732790.

N.B. Because all senior staff may at times need to deputise for the Head and the Deputy, then they need to be sure that they are aware of the contents of this policy and of the correct procedures to follow.

*Full details of procedures to be followed are attached as Appendices to this Policy.*

### **General Advice**

1. Staff and adults in schools are well-placed to notice possible signs of abuse, because of their regular contact with the children. Please be aware of changes in children's attitude, behaviour, appearance etc.. These changes may happen over a period of time, or may be sudden.

2. Listen to what children say. When talking to them do not ask leading questions. So,

Ask: "tell me about your morning?"

Do not ask: "did you miss breakfast this morning?"

3. Treat the matter seriously, and reassure the child if necessary. If you are going to make a report, do so immediately.

4. When writing an account, make it as specific as possible. Include the action that you have taken.

5. Tell only people who need to know.

6. Do not promise a child to keep the matter secret.

7. Do not contact parents. This is the job of the Headteacher or Social Services.

8. Do not try and interrogate children or ask leading questions.

9. Do not examine children physically.

10. Do not speak with anyone against whom allegations are made, even if the allegations are about a colleague or another adult connected with the school.

### **Further Information / Advice**

If you remain uncertain about a particular incident or set of circumstances, and if you are unable to discuss the matter with the Headteacher, please contact the Education Department (Access & Welfare - 0116 265 6324) for advice.

If you require further information, the full Child Protection Procedures are available on the local Safeguarding Children Board Web Site:

([www.lscb-llr.org.uk](http://www.lscb-llr.org.uk)):

### **Recruitment and Selection of Staff**

The school's processes conform to the DfES Guidance "*Safeguarding Children: Safer Recruitment and Selection in Education Settings*" (June 2005). If the school is asked to provide references for a member of staff about whom there have been concerns about child protection/inappropriate conduct, then advice will be sought from the Access & Welfare Service. Gaps in an applicant's employment history will be followed up and also if the applicant's last school is not given as a point for references.

In all Interviews a question relating to the candidate's understanding of Child Protection procedures will be asked.

### **Monitoring & Evaluation**

This Policy will be reviewed every two years, and any necessary changes in procedure or personnel will be referred to the Governing body for discussion and ratification.

*Dorothy Goodman School July 2001  
Revised May 2004  
Revised May 2007*

*Revised October 2009*

## **APPENDIX 1**

### **PROCEDURE TO FOLLOW IN CASES OF POSSIBLE, ALLEGED OR SUSPECTED ABUSE, OR SERIOUS CAUSE FOR CONCERN ABOUT A CHILD**

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#### **A. General**

- 1) The Local Safeguarding Children Board's Procedures contain the inter-agency processes, protocols and expectations for safeguarding children. (Available on LSCB website [www.lscb-llr.org.uk](http://www.lscb-llr.org.uk)): The Designated Senior Person (DSP) for Child Protection is expected to be familiar with these, particularly referral processes.
- 2) It is important that all parties act swiftly and avoid delays.
- 3) Any person may seek advice and guidance from the Access & Welfare Service and/or local children's social care officers, particularly if there is doubt about how to proceed (see contacts at the start of this policy document). Any adult, whatever their role, can take action in his/her own right to ensure that an allegation or concern is investigated and can report to the investigating agencies.
- 4) Written records, dated and attributed, must be made to what has been alleged, notices and reported, and kept securely and confidentially.
- 5) In many cases of concern there will be an expectation that there have already been positive steps taken to work with parents and relevant parties to help alleviate the concerns and effect an improvement for the child. This is appropriate where it is thought a child may be in need in some way, and require assessment to see whether additional support and services are required. An example might be where it is suspected a child may be the subject of neglect. In most cases the parents' knowledge and consent to the referral are expected, unless there is reason for this not being in the child's interest. However, there will be circumstances when informing the parent/carer of a referral might put the child at risk, and an individual cases advice from the children's social care will need to be taken.

#### **B. Individual Staff/Volunteers/Other Adults – main procedural steps**

- 1) When a child makes a disclosure, or when concerns are received from other sources, do not investigate, ask leading questions, examine children, or promise confidentiality.

Children making disclosures should be reassured and if possible at this stage should be informed what action will be taken next.

- 2) As soon as possible write a dated and timed note of what has been disclosed or noticed, said or done.
- 3) Report to the Designated Senior person for Child Protection in the school, even if the concern involves the conduct of a member of staff or volunteer, a visitor, a governor, a trainee or another young person or child. Pass on the written record.
- 4) If this has not already been done, inform the child (or other party who has raised the concern) what action you have taken.

**C. Designated Senior Person for Child Protection – main procedural steps**

- 1) Begin a case file which will hold a record of communications and actions in a coherent order, to be stored securely (see Section on Records and Monitoring).
- 2) Where initial enquiries do not justify a referral to the investigating agencies inform the initiating adult and monitor the situation. If in doubt, seek advice from the Access & Welfare Service or children's social care.
- 3) Share information confidentially with those who need to know.
- 4) Where the initial information reveals a cause for concern about a child in need (s17, Children Act 1989) and a decision has been made to refer the child/young person to children's social care, the Inter-agency Referral Proforma must be completed (see the Guidance Notes for the inter-agency Referral Proforma for Children in Need and their Families). Alternatively, if the initial information reveals a cause for concern that equates to child protection (s47, Children Act 1989), contact must be made immediately with children's social care, and then the Inter-agency Referral Proforma completed **within 24 hours**.
- 5) Make the necessary communications with the local children's social care office.
- 6) If the concern is about children using sexually abusive behaviour, refer to the separate guidance. (The contact is the Child Protection Development Officer.)
- 7) If it appears that urgent medical attention is required arrange for the child to be taken to hospital (normally this means calling an ambulance) accompanied by a member of staff who must inform medical staff that non-accidental injury is suspected. Parents must be informed that the child has been taken to hospital.
- 8) Exceptional circumstances: If it is feared that the child might be at immediate risk on leaving school, take advice from children's social care (for instance about difficulties if the school day has ended, or on whether to contact the police). Remain with the child until the Social Worker takes responsibility. If in these circumstances a parent arrives to collect the child, the member of staff has no right to withhold the child. If

there are clear signs of physical risk or threat, children's social care should be updated and the Police should be contacted immediately.

## **APPENDIX 2**

**PROCESS FOR DEALING WITH ALLEGATIONS AGAINST STAFF (INCLUDING HEADTEACHERS) AND VOLUNTEERS** (References to staff in this process include staff in schools, central services and volunteers. These procedures include descriptions of action undertaken by the school, the local authority services and the Police).

These procedures should be followed in all cases in which there is an allegation or suspicion that a person working with children 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
- otherwise behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

Relevant documents:

- DfES/2044/2005: Dealing with Allegations of Abuse Against Teachers and other staff
- LSCB Procedures Chapter 13

### **1) Individual Staff/Volunteers/Other Adults:**

- i. Write a dated and timed note of what has been disclosed or noticed, said or done.
- ii. Report immediately to the Headteacher.
- iii. Pass on the written record.
- iv. If the allegation concerns the conduct of the Headteacher, report immediately to the Chair of Governors. Pass on the written record.  
(If there is difficulty reporting to the Chair of Governors, contact the Access & Welfare Service as soon as possible.)

### **2) Headteacher**

- i. If there is no written record, write a dated and timed note of what has been disclosed or noticed, said or done.
- ii. Notify the Access & Welfare Service on the same day.
- iii. The Headteacher may be asked to clarify details or the circumstances of the allegation, but this must not amount to an investigation.
- iv. Copies of the documents concerning the allegation must be sent to the Access & Welfare Service on the same day, ideally by facsimile.
- v. Report to children's social care in relevant cases, on Access & Welfare Service advice.

- vi. Ongoing involvement in cases: liaison with the Access & Welfare Service and co-operation with the investigating agencies enquiries as appropriate; consideration of employment issues and possible disciplinary action where the investigating agencies take no further action.

vii.

3) **Chair of Governors (only relevant in the case of an allegation against the Headteacher)**

- i. If there is no written record, write a dated and timed note of what has been disclosed or noticed, said or done.
- ii. Notify the Access & Welfare Service on the same day.
- iii. The Chair may be asked to clarify details or the circumstances of the allegation, but this must not amount to an investigation.
- iv. Copies of the documents concerning the allegation must be sent to the Access & Welfare Service on the same day, ideally by facsimile.
- v. Report to children's social care in relevant cases, on Access & Welfare Service advice; in cases concerning Headteachers, the report to children's social care is sometimes undertaken by the Access & Welfare Service on behalf of the Chair of Governors, following discussion.
- vi. Ongoing involvement in cases: liaison with the Access & Welfare Service and co-operation with the investigating agencies enquiries as appropriate; consideration of employment issues and possible disciplinary action where the investigating agencies take no further action.

4) **Access & Welfare Service:**

- i. Identifies an officer to liaise further the Headteacher (or Chair of Governors if the allegation concerns the Headteacher), in consultation with the relevant Assistant Director of Education, and provides advice on how to proceed.
- ii. Monitors cases through its Casework Monitoring Group
- iii. Keeps written records.
- iv. Liaises with children's social care and the Police in relevant cases.
- v. Makes summary reports to the DfES on request on the number and sorts of allegations which have occurred.

5) **Initial action (Children & Young People's Service): usually same day or next day if key staff are not immediately available**

Discussion involving a senior officer and representatives of the Access & Welfare Service, the Personnel Unit and the Child Protection and Review Unit. This is to:

- ~ share what information is available, both from the source of the allegation and also from the Personnel and child protection files
- ~ identify what other information might be needed
- ~ come to a view on the seriousness of the allegation
- ~ consider whether the alleged perpetrator should continue working or remain in contact with children
- ~ consider whether suspension is appropriate advice to the school on this aspect
- ~ decide what information and/or advice is to be given to the Headteacher (or Chair of Governors if the allegation is about the Headteacher), including whether the member of staff should be informed of the allegation at this stage
- ~ decide what action is needed, and who needs to be involved and informed.

6) **Initial action and discussions (inter-agency)**

The Access & Welfare Service will have initial discussions with children's social care and if necessary the Police **usually within 2 working days**. The purpose of these discussions is to consider the allegation alongside any knowledge of the member of staff and/or the child, and decide how to proceed. Included in these discussions is further consideration of whether or not the member of staff should remain in post and to what extent s/he should be informed of the allegation.

7) **Strategy Meeting**

If the parties involved in these discussions consider it necessary, a Strategy Meeting is arranged, usually by children's social care, involving representatives from the Access & Welfare Service, the Police and the school (e.g. Headteacher, or Chair of Governors if the allegation is about the Headteacher).

8) From the above discussions, there are three possible courses of action:

- ~ it may be the subject of a Police and/or joint Police and children's social care investigation and possible action through the courts (see 10 & 11 below); or
  - ~ it may be the subject of a disciplinary investigation (see 12 below);
- or
- ~ the matter may be remitted to the school to be dealt with (see 13 below)

If children's social care and the Police decide to take no action the school will generally still need to consider further investigation. The Personnel Unit will work with the school in these circumstances.

#### 9) Case subject to police investigation

If the initial action discussions and/or Strategy Meeting conclude that a Police or Police/children's social care investigation is required, the DfES expects that the Police will:

- i. consider whether to consult the CPS about the evidence that will need to be obtained in order to charge the person with an offence without delay;
- ii. consult the CPS if the person has not been charged, to consider whether to proceed with the investigation or refer the case back to the employer; (The DfES expects that where possible a review date should be set **no later than 4 weeks** after the initial action meeting, with subsequent reviews at least every 4 weeks.)
- iii. if the decision is not to prosecute or caution the individual, the Police will pass all relevant and appropriate information they have to the Access & Welfare Service, if practicable, **usually within 3 working days**. Sections 11 & 12 below then apply.

#### 10) If the case comes to trial, the Crown Prosecution Service is responsible for the timescales, but the DfES expects that:

- i. If the person is charged with an offence, the case will be scheduled to be heard **as soon as possible**.
- ii. Immediately after a trial the Police will provide a report to the education services and in the case of an acquittal will provide all relevant information they have.

Further Local Authority action:

- i. The Casework Monitoring Group will then consider:
  - ~ share what information is available from the Police
  - ~ identify what other information might be needed
  - ~ come to a view on what advice should be given to the school regarding a course of action
  - ~ consider again whether the alleged perpetrator should be in post
  - ~ pass the case to the Personnel Unit to contact the school.
- ii. The Personnel Unit will discuss the information with the Headteacher (or the Chair of Governors alone if the information is about the Head) to help decide whether a disciplinary hearing or further investigation is needed, **usually within 3 working days**. See below.

- 11) **Where the matter is remitted to the school** to resolve appropriate action, it is expected that initial action will be taken **usually within 3 working days**. The Personnel Unit will support schools in these circumstances and ensure the timescales are kept.
- 12) **Where a disciplinary investigation is required** the Personnel Unit will support the school according to the level of service purchased by the school. (If the allegations involve the Headteacher, the Personnel support is given to the Chair of Governors regardless of whether the school has purchased Personnel Services.) The Personnel Unit may support the school in various ways, for instance by arranging for an investigation to be conducted by a person independent of the school. An investigating officer should aim to provide a report within 10 working days. If possible a disciplinary hearing should be held within a further 15 working days.

### 13) **GENERAL**

#### **Monitoring casework**

Allegations against staff and volunteers will be monitored in the local authority through the regular casework monitoring meeting chaired by the Assistant Director Social Care.

#### **Records**

All records and documents about individual allegations against staff and volunteers are kept securely in the Access & Welfare Service, separate from normal staff and child records, and with access limited to officers who may be key workers for cases.

#### **Transfer of records**

Where there have been concerns about a member of staff and he/she leaves the authority to work elsewhere, the Casework Monitoring Group will consider the question of passing the concerns to the new employer/authority.

#### **Reporting to the DfES**

For each allegation, a DfES form must be completed by the Access & Welfare Service and submitted to the DfES at the end of the academic year (anonymised data). (Process under review by DfES)

If on the conclusion of a case the school ceases to use the person's services, or other the person ceases to provide his/her services, the school should consult the local authority about whether a referral to the DfES is required.

#### **Contacts and support for staff who are the subject of allegations**

Where allegations are made against staff or volunteers, the identified officer in the Access & Welfare Service is the first contact point for the person concerned and his/her representative(s).

The DFES has included in its guidance the protection of pupils and students in workplace placements and the local authority will consider issuing its own guidance on this in due course.

**Abuse of Trust**

Abuse of trust: the Sexual Offences Act 2003, which makes it an offence for a person over 18 to have a sexual relationship with a child under 18 where the person is in a position of trust (e.g. teacher, youth worker), even if the relationship is consensual.

## **APPENDIX 2**

**PROCESS FOR DEALING WITH ALLEGATIONS AGAINST STAFF (INCLUDING HEADTEACHERS) AND VOLUNTEERS** (References to staff in this process include staff in schools, central services and volunteers. These procedures include descriptions of action undertaken by the school, the local authority services and the Police).

These procedures should be followed in all cases in which there is an allegation or suspicion that a person working with children 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
- otherwise behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

Relevant documents:

- DCSF Guidance: Safeguarding Children and Safer Recruitment in Education January 2007 chapter 5: Dealing with Allegations of Abuse Against Teachers and Other Staff
- LSCB Procedures Chapter 13

### **1)6) Individual Staff/Volunteers/Other Adults:**

- i. Write a dated and timed note of what has been disclosed or noticed, said or done.
- ii. Report immediately to the Headteacher.
- iii. Pass on the written record.
- iv. If the allegation concerns the conduct of the Headteacher, report immediately to the Chair of Governors. Pass on the written record. (If there is difficulty reporting to the Chair of Governors, contact the Access & Welfare Service as soon as possible.)

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### **2)7) Headteacher**

- i. If there is no written record, write a dated and timed note of what has been disclosed or noticed, said or done.
- ii. Notify the Access & Welfare Service on the same day.
- iii. The Headteacher may be asked to clarify details or the circumstances of the allegation, but this must not amount to an investigation.

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- iv. Copies of the documents concerning the allegation must be sent to the Access & Welfare Service on the same day, ideally by facsimile.
- v. Report to children's social care in relevant cases, on Access & Welfare Service advice.
- vi. Ongoing involvement in cases: liaison with the Access & Welfare Service and co-operation with the investigating agencies enquiries as appropriate; consideration of employment issues and possible disciplinary action where the investigating agencies take no further action.

**3)8) Chair of Governors (only relevant in the case of an allegation against the Headteacher)**

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- i. If there is no written record, write a dated and timed note of what has been disclosed or noticed, said or done.
- ii. Notify the Access & Welfare Service on the same day.
- iii. The Chair may be asked to clarify details or the circumstances of the allegation, but this must not amount to an investigation.
- iv. Copies of the documents concerning the allegation must be sent to the Access & Welfare Service on the same day, ideally by facsimile.
- v. Report to children's social care in relevant cases, on Access & Welfare Service advice; in cases concerning Headteachers, the report to children's social care is sometimes undertaken by the Access & Welfare Service on behalf of the Chair of Governors, following discussion.
- vi. Ongoing involvement in cases: liaison with the Access & Welfare Service and co-operation with the investigating agencies enquiries as appropriate; consideration of employment issues and possible disciplinary action where the investigating agencies take no further action.

**4)9) Access & Welfare Service:**

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- i. Identifies an officer to liaise further the Headteacher (or Chair of Governors if the allegation concerns the Headteacher), in consultation with the relevant Assistant Director of Education, and provides advice on how to proceed.
- ii. Monitors cases through its Casework Monitoring Group
- iii. Keeps written records.
- iv. Liaises with children's social care and the Police in relevant cases.

- v. Makes summary reports to the DCSF on request on the number and sorts of allegations which have occurred.

**5)10) Initial action (Children & Young People's Service): usually same day or next day if key staff are not immediately available**

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Discussion involving a senior officer and representatives of the Access & Welfare Service, the Personnel Unit and the Child Protection and Review Unit.

This is to:

- ~ share what information is available, both from the source of the allegation and also from the Personnel and child protection files
- ~ identify what other information might be needed
- ~ come to a view on the seriousness of the allegation
- ~ consider whether the alleged perpetrator should continue working or remain in contact with children
- ~ consider whether suspension is appropriate advice to the school on this aspect
- ~ decide what information and/or advice is to be given to the Headteacher (or Chair of Governors if the allegation is about the Headteacher), including whether the member of staff should be informed of the allegation at this stage
- ~ decide what action is needed, and who needs to be involved and informed.

**11) Initial action and discussions (inter-agency)**

The Headteacher/DSP will in the first instance contact the Access and Welfare service. If it is then decided, on the basis of the referral or subsequent initial assessment, that child protection enquiries are required, a strategy meeting must be held. The timescales are as for any referral – 24 hours to decide that an initial assessment is required, and up to 7 working days to complete an initial assessment. Once an investigation is under way and it has been agreed that the member of staff should be informed, agencies should identify clear and named points of contact for regular updates, advice and support to the member of staff and their representatives in individual cases.

**7) From the above discussions, there are three possible courses of action:**

- ~ it may be the subject of a Police and/or joint Police and children's social care investigation and possible action through the courts (see 10 & 11 below); or
  - ~ it may be the subject of a disciplinary investigation (see 12 below);
- or

~ the matter may be remitted to the school to be dealt with (see 13 below)

If children's social care and the Police decide to take no action the school will generally still need to consider further investigation. The Personnel Unit will work with the school in these circumstances.

## 8) Case subject to police investigation

If the initial action discussions and/or Strategy Meeting conclude that a Police or Police/children's social care investigation is required, the DCSF expects that the Police will:

- i-iv. consider whether to consult the CPS about the evidence that will need to be obtained in order to charge the person with an offence without delay;
- ii-v. consult the CPS if the person has not been charged, to consider whether to proceed with the investigation or refer the case back to the employer; (The DCSF expects that where possible a review date should be set **no later than 4 weeks** after the initial action meeting, with subsequent reviews at least every 4 weeks.)
- iii-vi. if the decision is not to prosecute or caution the individual, the Police will pass all relevant and appropriate information they have to the Access & Welfare Service, if practicable, **usually within 3 working days**. Sections 11 & 12 below then apply.

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## 9) If the case comes to trial, the Crown Prosecution Service is responsible for the timescales, but the DCSF expects that:

- i. If the person is charged with an offence, the case will be scheduled to be heard **as soon as possible**.
- ii. Immediately after a trial the Police will provide a report to the education services and in the case of an acquittal will provide all relevant information they have.

### Further Local Authority action:

- i. The Casework Monitoring Group will then consider:
  - ~ share what information is available from the Police
  - ~ identify what other information might be needed
  - ~ come to a view on what advice should be given to the school regarding a course of action
  - ~ consider again whether the alleged perpetrator should be in post
  - ~ pass the case to the Personnel Unit to contact the school.

ii. The Personnel Unit will discuss the information with the Headteacher (or the Chair of Governors alone if the information is about the Head) to help decide whether a disciplinary hearing or further investigation is needed, **usually within 3 working days**. See below.

**10) Where the matter is remitted to the school** to resolve appropriate action, it is expected that initial action will be taken **usually within 3 working days**. The Personnel Unit will support schools in these circumstances and ensure the timescales are kept.

**11) Where a disciplinary investigation is required** the Personnel Unit will support the school according to the level of service purchased by the school. (If the allegations involve the Headteacher, the Personnel support is given to the Chair of Governors regardless of whether the school has purchased Personnel Services.) The Personnel Unit may support the school in various ways, for instance by arranging for an investigation to be conducted by a person independent of the school. An investigating officer should aim to provide a report within 10 working days. If possible a disciplinary hearing should be held within a further 15 working days.

## **12) GENERAL**

### **Monitoring casework**

Allegations against staff and volunteers will be monitored in the local authority through the regular casework monitoring meeting chaired by the Assistant Director Social Care.

### **Records**

All records and documents about individual allegations against staff and volunteers are kept securely in the Access & Welfare Service, separate from normal staff and child records, and with access limited to officers who may be key workers for cases.

### **Transfer of records**

Where there have been concerns about a member of staff and he/she leaves the authority to work elsewhere, the Casework Monitoring Group will consider the question of passing the concerns to the new employer/authority.

### **Reporting to the DCSF**

Anonymised data on allegations is regularly required by the DCSF from the local authority, particularly to track how quickly cases are progressed.

If on the conclusion of a case the school ceases to use the person's services, or other the person ceases to provide his/her services, the school should consult the local authority about whether a referral to the DCSF is required.

### **Contacts and support for staff who are the subject of allegations**

Where allegations are made against staff or volunteers, the identified officer in the Access & Welfare Service is the first contact point for the person concerned and his/her representative(s).

The DCSF has included in its guidance the protection of pupils and students in workplace placements and the local authority will consider issuing its own guidance on this in due course.

### **Abuse of Trust**

Abuse of trust: the Sexual Offences Act 2003, which makes it an offence for a person over 18 to have a sexual relationship with a child under 18 where the person is in a position of trust (e.g. teacher, youth worker), even if the relationship is consensual.







