



**BURTON  
BOROUGH  
SCHOOL**

**STATEMENT OF PROCEDURES  
FOR DEALING WITH  
ALLEGATIONS OF ABUSE AGAINST STAFF**

<b>Policy Reviewer</b>	Christine Carter	<b>Date of Review</b>	June 2017
<b>Date Presented to Governors</b>	26 <sup>th</sup> June 2017	<b>Date of next Review</b>	Summer 2019

## **Purpose**

Burton Borough School takes its responsibility of care for its students seriously and fully endorses the principles and practice of safeguarding procedures in line with *Keeping Children Safe in education (2016)*. We recognise that any possibility that a member of staff may have hurt a student must be investigated thoroughly, but in a way that does not prejudice either the student or the member of staff. Any investigation of an allegation of abuse against a member of staff must follow the objective, professional standards and routines described here.

## **Scope**

This Statement of Procedures is written in conjunction with statutory guidance from the Department for Education (DfE) and relates to the following Legislation:

- The Children Act 1989
- Section 175 of the Education Act 2002 (local authorities, governing bodies of maintained schools and institutions in the further education sector)
- Section 157 of the Education Act 2002 and the Education (Independent School Standards) (England) Regulations 2010
- The Children Act 2004
- Section 11 of the Children Act 2004 (other agencies).

A copy of the DfE Guidance can be found on the T drive.

This statement of procedures must not be used in isolation. All stages must be addressed in conjunction with the school's safeguarding policy and disciplinary policy. All timescales for handling allegations will be in line with both of these policies.

## **Statement of Procedures**

### **Initial Allegation Made to the School**

Any allegation of abuse by a teacher on a student must be reported to the Principal or Deputy Principal in the Principal's absence.

Should the allegation be made against the Principal then this should be brought to the attention of the Chair of Governors immediately.

Should the allegation meet any of the following criteria then the Principal should report the allegation to the local authority designated officer (LADO) the same day that the allegation is received:

A teacher or member of staff (including a volunteer) 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 is unsuitable to work with children.

### **Initial Consideration**

The Principal will discuss the matter with the local authority designated officer (LADO) and provide any further details of the allegation and the circumstances in which it was made. The Principal should not investigate the allegation at this stage. The discussion will also consider whether there is evidence or information that establishes that the allegation is false or unfounded. All allegations will be taken very seriously.

If upon discussion with the LADO the Principal believes the allegation to be patently false, or if s/he believes for any other reason that no formal steps are required s/he will formally convene a meeting of 3 people from:

- Vice Principal
- Safeguarding Leads
- Chair of Governors

If any **one** of these present believes that the allegation will be referred on, then this should be done. The panel will be reconvened if any further information becomes available.

Minutes of the meeting will be taken, and forwarded to the Governor with responsibility for safeguarding.

If the allegation is not patently false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the local authority designated officer will immediately refer to children's social care team and ask for a strategy discussion in accordance with Working Together to Safeguard Children to be convened straight away. In those circumstances the strategy discussion should include the local authority designated officer and the Principal.

If there is not cause to suspect that "significant harm" is an issue, but a criminal offence might have been committed, the local authority designated officer should immediately inform the police and convene a similar discussion to decide whether a police investigation is needed. That discussion will also involve the school and any other agencies involved with the child.

### **Action following initial consideration**

Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the Principal to deal with it. In such cases, if the nature of the allegation does not require formal disciplinary action, the Principal should institute appropriate action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

Where further investigation is required to inform consideration of disciplinary action the Principal should discuss who will undertake that with the local authority designated officer (LADO). This will usually be a member of the senior leadership team (SLT).

The investigating officer should aim to provide a report to the employer within 10 working days.

On receipt of the report of the disciplinary investigation, the Principal and chair of governors should consult the local authority designated officer, and decide whether a disciplinary hearing is needed within two working days. If a hearing is needed it should be held within 15 working days.

In any case in which children's social care team has undertaken enquiries to determine whether the child or children are in need of protection, the Principal and Chair of Governors should take account of any relevant information obtained in the course of those enquiries when considering disciplinary action.

The local authority designated officer should continue to liaise with the school to monitor progress of the case and provide advice or support when required or requested.

### **Case subject to police investigation**

If the police and/or Crown Prosecution Service (CPS) decide not to charge the individual with an offence, or decide to administer a caution, or the person is acquitted by a Court, the police should wherever possible aim to pass all information they have which may be relevant to a disciplinary case to the Principal within three working days of the decision. In those circumstances the Principal and the local authority designated officer should proceed as described above.

In any case in which children's social care has undertaken enquiries to determine whether the child or children are in need of protection, any information obtained in the course of those enquiries which is relevant to a disciplinary case should also be passed to the school and the Principal should request this information.

### **Referral to Department for Education (DfE)**

If, on conclusion of the case the school ceases to use the person's services, or the person ceases to provide his or her services, the school should consult the local authority designated officer about whether a referral to DfE is required. If a referral is appropriate the report should be made within one month

### **Duties as an employer and employee**

Employers have a duty of care to their employees and ensure that effective support is provided for anyone facing an allegation. If an employee is suspended, there should be a named contact so that the employee can be kept up to date of the

concerns or allegations. The individual concerned should be advised to contact their trade union representative if they have one, or a colleague for support.

Any allegation of abuse made against a member of staff or volunteer needs to be dealt with quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

Parents or carers of a child or children involved should be told about the allegation as soon as possible if they do not already know of it. This is unless the police or children's social care services need to be involved. If this is the case, the Principal or relevant SLT member should not do so until those agencies have been consulted and have agreed what information should be disclosed to the parents/carers.

Parents/carers should also be made aware of the prohibition on reporting or publishing allegations about teachers in section 141F of the Education Act 2002. If parents and carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

In cases where a child may have suffered significant harm, or there may be a criminal prosecution, children's social services, or the police, should consider what support the child or children involved may need.



## **EMPLOYEE COUNSELLING SERVICE**

### **What is Counselling?**

Counselling offers you an opportunity to explore and resolve difficulties you may be experiencing in your personal and work life.

The problem may be over a particular situation such as dissatisfaction with or loss of a job, bereavement, ill health or an unhappy relationship.

It may be a more general feeling of anxiety or depression or worries that have been concerning you for some time and you feel that now is the time you want to tackle them.

Counselling provides a safe and confidential setting where you can explore these difficulties with the support of a trained Counsellor.

### **What does Counselling involve?**

You can contact the Occupational Health Advisers at Telford & Wrekin Council on 01952 383630 for initial counselling support or contact one of the counselling team direct.

At the first session you can talk about your difficulties and see if you think counselling may help you.

If you feel that it would, we will arrange a time to meet. The sessions will be completely confidential except in rare circumstances where someone's safety or health is at severe risk.

Counsellors use a range of techniques including CBT (cognitive behavioural therapy) approaches. Some counsellors are able to offer appointments in various locations.

The counselling service is free of charge to employees.

## How to make contact?

You are invited to seek further information from and make appointments with any of the Counselling team:

<b>Ros Davies</b>	01270 879170 07855 160076	Can meet employees in Telford or Stoke Can offer Skype counselling
<b>Brian Turner</b>	07974 781228	Meets employees in Newport
<b>Mo Price</b>	01785 254298 07801 269376	Can meet employees in Stafford.
<b>Fran Marriott</b>	01952 883004 07840 419765	Can meet employees in Telford or Broseley
<b>Sherrel Fikeis</b>	01952 676953 07816 335464	Can meet people in Wellington.

Teacher Support Line **08000 562 561** offers telephone information, support and counselling for all teachers including trainees. Staffed by trained counsellors with education expertise the service is 24 hour, free and confidential.

Work related stress is not just a personal matter with which employees have to learn to cope. There are also factors influencing work-related stress in the organisation that also need to be addressed.

The Counselling Service works in conjunction with the Occupational Health and Safety Team.