

Bank View High School



**Allegations against a member of staff
Policy**

BANK VIEW HIGH SCHOOL

Allegations against a Member of Staff

Introduction

Bank View High School takes its responsibility of care for its students seriously and fully endorses the principles and practice of Every Child Matters. We recognise that any possibility that a member of staff may have caused harm to 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 and adhere to Liverpool's Safeguarding Children's Board guidance: 'Allegations Against Adults Who Work With Children' (Dec 2007). 2010 revision available at http://liverpoolscb.proceduresonline.com/chapters/p_alleg_adults_ch.html#scope
With more detail at http://www.workingtogetheronline.co.uk/appendix_five.html

Initial Allegation Made to the School

Any allegation of abuse by a teacher on a student must be reported to the head teacher who is also the Lead Coordinator for Child Protection/Safeguarding. Should the initial allegation first be made to any other member of staff then that member of staff must either:

- Request that the person raising the allegation report it to the head teacher
- If that is not possible to pass details of the allegation to the head teacher immediately.

Should the allegation be made against the head teacher than this should be brought to the attention of the Chair of Governors immediately via a member of the SMT and to the Deputy Coordinator for Child Protection/Safeguarding (Leyla Feeney).

Criteria

Should the allegation meet any of the following criteria then the head teacher (or lead person) should report the allegation to the local authority designated officer (Duty Officer ICS tel: 233 3029) on the same day that the allegation is received:

A teacher or member of staff (including a volunteer) in a school, FE college or other education establishment that provides education for children under 18 years of age 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 head teacher will discuss the matter with the local authority designated officer and provide any further details of the allegation and the circumstances in which it was made. The head teacher 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.

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 and ask for a strategy discussion in accordance with Liverpool's Safeguarding Children's Board: allegations against Adults Who Work With Children to be convened straight away. In those circumstances the strategy discussion should include the local authority designated officer and the head teacher. The Chair of Governors (Colin Sibbald) as named Child Protection governor should be notified.

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 the head teacher will deal with the concern. In such cases, if the nature of the allegation does not require formal disciplinary action, the head teacher 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 head teacher should discuss who will undertake that with the local authority designated officer.

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 head teacher 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 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 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 head teacher within three working days of the decision. In those circumstances the head teacher 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 head teacher should request this information.

Referral to DfE

If on conclusion of the case the school or FE college 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.

January 2013

Date	Revision	By:
Jan 2013	Website details for 2010 revision for 'Allegations Against Adults Who Work With Children' http://liverpoolscb.proceduresonline.com/chapters/p_alleg_adults_ch.html#scope and http://www.workingtogetheronline.co.uk/appendix_five.html Added on p1 DfE replaces DCFS on p4	