



Eden Dealing with Allegations of Abuse against Teachers & Other Staff Policy and Procedure

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1. Introduction

Despite all efforts to recruit safely there will be occasions when allegations of abuse against children are raised.

It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer, including a member of the Local Advisory Board of the school, is dealt with fairly, quickly and consistently, in a way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation.

This procedure is drawn up taking account of the following guidance:

- Working Together to Safeguard Children 2015
- London Child Protection Procedures 2016 (5th Edition, Part A, Section 7)
- Keeping Children Safe in Education 2016 (Part Two and Part Four)

2. Scope

This procedure applies to all employees employed by schools and academies

For academies, all reference to the Headteacher should, where appropriate, be replaced with Head, and all reference to the Governing Body should, where appropriate, be replaced with the Local Advisory Board.

Where the Head is the subject of the allegation or concern, this should be raised with the Director Schools.

Where a Director is the subject of the allegation or concern, this should be raised with the CEO.

Where the CEO is the subject of the allegation or concern, this should be raised with the Chair of the Board of Trustees.

This procedure should be used in respect of all cases in which it is alleged that a teacher or other member of staff (including a volunteer) in a school 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 they would pose a risk of harm to children

These behaviours should be considered within the context of the four categories of abuse (i.e., physical, sexual and emotional abuse, and neglect). These include concerns relating to inappropriate relationships between members of staff and children or young people, for example:-

- Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual (see ss 16-19 Sexual Offences Act 2003)
- 'Grooming' i.e., meeting a child under 16 with intent to commit a relevant offence (see s15 Sexual Offences Act 2003);

- Other 'grooming' behaviour giving rise to concerns of a broader child protection nature e.g. inappropriate text / e-mail messages or images, gifts, socialising etc.);
- Possession of indecent photographs / pseudo-photographs of children

3. What might be involved?

There are up to three strands in the consideration of an allegation:

- A police investigation of a possible criminal offence;
- Social care enquiries and/or assessment about whether a child is in need of protection or in need of services;
- Consideration by the school of disciplinary action in respect of the individual.

4. Roles and responsibilities

4.1 The school should appoint:

- a member of the school's leadership team to the role of designated safeguarding lead. This should be explicit in the role-holder's job description. (See Appendix 6 which describes the broad areas of responsibility). Allegations or concerns which fit the criteria set out in Section 2 should be reported to the designated safeguarding lead. a deputy to the designated safeguarding lead to whom reports should be made in their absence or where the designated safeguarding lead is the subject of the allegation or concern

4.2 The Local Authority provides a central point of contact to whom the designated safeguarding lead must report all appropriate allegations which fit the criteria set out in Section 2. This is the Designated Officer. The Designated Officer's role is to:

- Receive reports about allegations and to be involved in the management and oversight of individual cases;
- Provide advice and guidance to the school;
- Liaise with the police, LA children's social care, and other agencies;
- Monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process.
- Provide advice and guidance to schools in relation to making referrals to the Disclosure and Barring Service (DBS) and other regulatory bodies such as Ofsted.

5. Initial considerations

This procedure for dealing with allegations needs to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above, or may do so without warranting consideration of either a police investigation or enquiries by local authority children's social care services. In these cases, local arrangements should be followed to resolve cases without delay.

Some rare allegations will be so serious they require immediate intervention by social care services local authority children's social care and/or the police.

The Designated Officer should be informed of all allegations that come to the school's attention and appear to meet the criteria so that they can consult police and children's social care services as appropriate.

6. Initial response to an allegation or concern

An allegation against a member of staff may arise from a number of sources e.g., report from a child, a concern raised by another adult in the school, or a complaint by a parent. It may also arise in the context of the member of staff and their life outside work or at home.

6.1 Initial action by person receiving or identifying an allegation or concern

The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.

They should not:

- Investigate or ask leading questions if seeking clarification;
- Make assumptions or offer alternative explanations;
- Promise confidentiality, but give assurance that the information will only be shared on a 'need to know' basis.

They should:

- Make a written record of the information (where possible in the child/adult's own words), including the time, date and place of incident(s), persons present and what was said;
- Sign and date the written record;
- Immediately report the matter to the designated safeguarding lead, or their deputy in their absence or; where the designated safeguarding lead is the subject of the allegation, report to the deputy or other appropriate senior manager

6.2 Initial action by the designated safeguarding lead

When informed of a concern or allegation, the designated safeguarding lead should not investigate the matter or interview the member of staff, child concerned or potential witnesses. They should:

- Obtain written details of the allegation / concern, signed and dated by the person receiving (not the child / adult making the allegation);
- Approve and date the written details;
- Record any information about times, dates and location of incident(s) and names of any potential witnesses;

- Record discussions about the child and/or member of staff concerned, any decisions made, and the reasons for those decisions.

If the allegation meets the criteria set out in Section 2 above, the designated safeguarding lead should report it to the Designated Officer **within one working day**. Referral should not be delayed in order to gather information and a failure to report an allegation or concern in accordance with procedures is a potential disciplinary matter.

If an allegation requires immediate attention, but is received outside normal office hours, the designated safeguarding lead should consult the local authority children's social care emergency duty team or local police and inform the Designated Officer as soon as possible.

Following the telephone conversation, the allegation report form available at **Appendix 4** should be completed and returned to the Designated Officer.

7. Initial discussion with the Designated Officer

The purpose of an initial discussion with the Designated Officer is for them and the designated safeguarding lead to consider the nature, content and context of the allegation and agree a course of action. The Designated Officer and designated safeguarding lead should consider whether further details are needed and whether there is evidence or information that establishes that the allegation is false or unfounded.

This initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern, in which case this decision and a justification for it should be recorded, by both the designated safeguarding lead and the Designated Officer, and agreement reached as to what information should be put in writing to the individual concerned and by whom. The designated safeguarding lead should then consider with the Designated Officer what action should follow in respect of the individual and those who made the initial allegation.

If the allegation is not demonstrably false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, a strategy discussion should be convened. If the allegation is about physical contact, the strategy discussion or initial evaluation with the police should take account of the fact that teachers and other school staff are entitled to use reasonable force to control or restrain pupils in certain circumstances, including dealing with disruptive behaviour.

8. Strategy meeting/discussion

Wherever possible, a strategy meeting/discussion should take the form of a meeting. However, on occasions a telephone discussion may be justified. The following is a list of possible participants:

- The Designated Officer (to chair if a strategy meeting);
- Relevant social worker and their manager;
- Police representative of the Child Abuse Investigation Team (CAIT);
- Designated safeguarding lead for the school
- HR representative
- Those responsible for regulation and inspection where applicable (e.g. Ofsted)
- Consultant paediatrician/Health professional, if appropriate

Depending on the circumstances of the case, the Designated Officer will make the decision on who would be the appropriate professionals/agencies who should be in attendance.

The strategy meeting /discussion should:

- Decide whether there should be a s47 enquiry and/or police investigation and consider the implications;
- Consider whether any parallel disciplinary process can take place and agree protocols for sharing information;
- Consider the current allegation in the context of any previous allegations or concerns;
- Where appropriate, take account of any entitlement by staff to use reasonable force to control or restrain children (e.g. Section 93, Education and Inspections Act 2006 in respect of teachers and authorised staff);
- Consider whether a complex abuse investigation is applicable;
- Plan enquiries if needed, allocate tasks and set timescales;
- Decide what information can be shared, with whom and when

The strategy meeting/discussion/initial evaluation should also:-

- Ensure that arrangements are made to protect the child/ren involved and any other child/ren affected, including taking emergency action where needed;
- Consider what support should be provided to all children who may be affected;
- Consider what support should be provided to the member of staff and others who may be affected and how they will be kept up to date with the progress of the investigation;
- Ensure that the investigations are sufficiently independent;
- Make recommendations where appropriate regarding suspension, or alternatives to suspension.
- Identify a lead contact manager within each agency;
- Agree protocols for reviewing investigations and monitoring progress by the Designated Officer, having regard to the target timescales;
- Consider issues for the attention of the headteacher and governing body (e.g., media interest, resource implications);
- Consider reports for consideration of barring;
- Consider risk assessments to inform the school's safeguarding arrangements;
- Agree dates for future strategy meetings/discussions

A final strategy meeting, discussion, should be held to ensure that all tasks have been completed, including any referrals to DBS in appropriate, and, where appropriate, agree an action plan for future practice based on lessons learnt.

The strategy meeting, discussion, should take into account the following definitions when determining the outcome of allegation investigations:

1. **Substantiated:** there is sufficient identifiable evidence to prove the allegation
2. **False:** there is sufficient evidence to disprove the allegation
3. **Malicious:** there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false
4. **Unfounded:** there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances.
5. **Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation, the term therefore does not imply guilt or innocence.

9. Information sharing

In a strategy discussion or the initial evaluation of the case, the agencies involved should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim.

Where the police are involved, wherever possible the school should ask the police to obtain consent from the individuals involved to share their statements and evidence for use in the disciplinary process. This should be done as their investigation proceeds and will enable the police to share relevant information without delay at the conclusion of their investigation or any court case.

The local authority children's social care should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the school without delay.

10. Outcome of strategy discussion/meeting or initial evaluation

10.1 Cases leading to a police investigation and/or enquiries by local authority children's social care

The meeting will consider if the school's disciplinary process can be taken forward in parallel with the criminal investigation; or whether it is necessary to wait for the outcome of the police enquiries before any disciplinary action can be considered.

Each case must be judged on its merits, but it is important to remember that the balance of proof in a disciplinary case is far less than in a criminal investigation, and a successful criminal prosecution is not essential for an employee to face disciplinary sanction. However, the school must be careful to ensure that their disciplinary investigations/actions do not in any way jeopardise a criminal investigation. Advice from the police and LADO will be essential when making this decision.

10.2 Cases which do not require police investigation and/or enquiries by local authority children's social care

Where it is clear that an investigation by the police or local authority children's social care is unnecessary, the LADO should discuss the next steps with the designated senior manager. In these circumstances the options open to the school will depend on the nature and circumstances of the allegation and the evidence and information available, and will range from taking no further action to summary dismissal or a decision not to use the person's services in future.

The circumstances of the case and the school's own disciplinary and conduct policies will determine the most appropriate action.

If further investigation is necessary to enable a decision about how to proceed, the LADO should discuss with the designated senior manager how and by whom the investigation will be undertaken. In straightforward cases the investigation should normally be undertaken by senior member of the school staff. However, in other circumstances lack of appropriate resource or expertise within the school, or the nature or complexity of the allegation may require an independent investigator, in which case the school may consider commissioning an independent investigator.

11. Informing others involved

The Designated Officer will advise the school whether or not informing the parent of the child involved will impede the disciplinary or investigative processes. Acting on this advice, if it is agreed that the information can be fully or partially shared, the school should inform the parent. In some circumstances, however, the parent may need to be told straight away (e.g., if a child is injured and requires medical treatment).

12. Informing the person accused of the allegation

The school should seek advice from the Designated Officer, the police and/or local authority children's social care about how much information should be disclosed to the accused member of staff. Subject to restrictions on the information that can be shared, the school should, as soon as possible, inform the accused member of staff about the nature of the allegation, how enquiries will be conducted.

The accused member of staff should be:

- Treated fairly and honestly and helped to understand the concerns expressed and processes involved;
- Advised to contact their trade union representative, if they have one, or a work colleague for support;
- Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process;
- If suspended, be kept up to date about events in the workplace
- Given access to the school's Employee Assistance Programme for support, if available

13. Suspension

Suspension is a neutral act and it should not be an automatic response when an allegation is reported. Suspension should be considered in any case where:

- There is cause to suspect a child has suffered, or is likely to suffer significant harm; or
- The allegation warrants investigation by the police;
- The allegation is so serious that it might be grounds for dismissal

Views on suspension can be canvassed at any strategy discussion/meeting held. However, only the headteacher or the governing body has the power to suspend and they cannot be required to do so by the Designated Officer or the police, although schools should give appropriate weight to their advice.

Based on assessment of risk, the following alternatives should be considered by the Headteacher before suspending:

- Redeployment within the school or college so that the individual does not have direct contact with the child or children concerned;
- Providing an assistant to be present when the individual has contact with children;
- Redeploying to alternative work in the school so the individual does not have unsupervised access to children;
- Moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted; or
- Temporarily redeploying the member of staff to another role in a different location, for example to an alternative school within a multi-academy trust

Where it has been deemed appropriate to suspend this should be confirmed in writing to the individual within **one working day**. Suspension will be in line with the school's disciplinary policy and procedure.

The school should appoint a named contact at the school for the staff member during their period of suspension.

In cases where it is decided on the conclusion of the case that a person who has been suspended can return to work, the school should consider how best to facilitate that. Most people would benefit from some help and support to return to work after what can be a very stressful experience. Depending on the individual's circumstances, a phased return and/or provision of a mentor to provide assistance and support in the short term may be appropriate. The school should also consider how the person's contact with the child or children who made the allegation can best be managed.

14. Confidentiality

It is extremely important that when an allegation is made, the school makes every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

Section 13 of the Education Act 2011 introduces new restrictions implemented in September 2012 preventing the publication of any information that would identify a teacher who is the subject of an allegation of misconduct that would constitute a criminal offence, where the alleged victim of the offence is

a registered pupil at the school. The reporting restrictions apply until the point that the accused person is charged with an offence, or under the Secretary of State publishes information about an investigation or decision in a disciplinary case arising from the allegation.

The reporting restrictions also cease to apply if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so or if a judge lifts restrictions in response to a request to do so.

The legislation imposing restrictions makes clear that 'publication' of material that may lead to the identification of the teacher who is the subject of the allegation is prohibited. 'Publication' includes 'any speech, writing, relevant programme or other communication in whatever form which is addressed to the public at large or any section of the public'. This means that a parent who, for example, published details of the allegation on a social networking site would be in breach of the reporting restrictions (if what was published could lead to the identification of the teacher by members of the public).

In accordance with the Association of Chief Police Officers (ACPO) guidance the police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless and until the person is charged with a criminal offence. (In exceptional cases where the police would like to depart from that rule, e.g., an appeal to trace a suspect, they must apply to the magistrates' court to request that reporting restrictions to be lifted).

Schools should take advice from the Designated Officer, police and local authority social care services to agree the following:-

- Who needs to know and, importantly, exactly what information can be shared;
- How to manage speculation, leaks and gossip;
- What, if any, information can be reasonably given to the wider community to reduce speculation; and
- How to manage press interest if and when it should arise

15. Disciplinary or suitability process and investigations

The Designated Officer and the designated safeguarding lead should discuss whether disciplinary action is appropriate in all cases where:

- It is clear at the outset or decided by the strategy meeting/discussion that a police investigation or LA children's social care enquiry is not necessary; or
- The school or Designated Officer is informed by the police or the Crown Prosecution Service that a criminal investigation and any subsequent trial is complete, or that an investigation is to be closed without charge, or a prosecution discontinued

The discussion should consider any potential misconduct or gross misconduct on the part of the member of staff, and take into account:

- Information provided by the police and/or LA children's social care;
- The result of any investigation or trial;

- The different standard of proof in disciplinary and criminal proceedings

The investigation and any subsequent disciplinary hearing should be held in accordance with the school's disciplinary policy and procedure.

If formal disciplinary action is not required, the school should institute appropriate action **within 3 working days**.

If a disciplinary hearing is required, and further investigation is not required, it should be held **within 15 working days**.

If further investigation is needed to decide upon disciplinary action, the school and the Designated Officer should discuss whether the school has appropriate resources or whether it 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 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. Its purpose is not to prove or disprove the allegation.

If, at any stage, new information emerges that requires a child protection referral, the investigation should be held in abeyance and only resumed if agreed with LA children's social care and the police. Consideration should again be given as to whether suspension is appropriate in light of new information.

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

On receipt of the report the school should decide, **within 2 working days**, whether a disciplinary hearing is needed. If a hearing is required, it should be held **within 15 working days**.

16. Resignations and 'Settlement Agreements'

Every effort should be made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, even if:

- the individual refuses to co-operate, having been given a full opportunity to answer the allegation and make representations;
- it may not be possible to apply any disciplinary sanctions if the person's period of notice expires (where the staff member has resigned) before the process is complete

By the same token so called 'settlement agreements', by which a person agrees to resign provided disciplinary action is not taken and that a future reference is agreed, **must not be used in these cases**. In any event, such an agreement will not prevent a thorough police investigation where that is appropriate. Nor can it override the statutory duty to make a referral to the DBS or to the NCTL where circumstances require that.

A settlement agreement which prevents the school from making a DBS referral where the criteria are met would likely result in a criminal offence being committed as the school would not be complying with its legal duty to make the referral.

17. Conclusion of the case – referral to the DBS/NCTL

If the allegation is substantiated and the employee is dismissed or the school ceases to use the person's services, or the person resigns or otherwise ceases to provide their services as a result, the designated safeguarding lead should discuss with the Designated Officer whether a referral to DBS and, in case of a teacher, to the NCTL is appropriate.

Referrals should be made as soon as possible after the resignation or removal of the staff member and within one month of ceasing to use the person's services. The DBS will consider barring the person from working in a regulated activity, and the NCTL, in the case of a teacher, will consider prohibiting the individual from teaching.

18. Action in respect of false allegations

If an allegation is determined to be false, the designated safeguarding lead in consultation with the Designated Officer, should refer the matter to children's social care to determine whether the child concerned is need of services, or may have been abused by someone else. In the rare event that an allegation is shown to have been deliberately invented or malicious, the senior designated manager should consider whether any disciplinary action is appropriate against the pupil who made it, or the police should be asked to consider whether any action might be appropriate against the person responsible if they were not a pupil.

19. Lessons learnt

At the conclusion of a case in which an allegation is substantiated, the Designated Officer should review the circumstances of the case with the designated safeguarding lead and chair of governors to determine whether there are any improvements to be made to the school's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The Designated Officer and the designated safeguarding lead should consider how future investigations of a similar nature could be carried out without suspending the individual.

20. Record keeping

Details of allegations that are found to have been malicious should be removed from personnel records.

For all other allegations, even in cases where the allegation has not been substantiated, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on the person's confidential personnel file, and a copy provided to the person concerned.

The record should be kept at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.

Working Together to Safeguard Children 2015 explains that the purpose of retaining this record is to:-

- Enable accurate information to be given in response to any future employment reference;

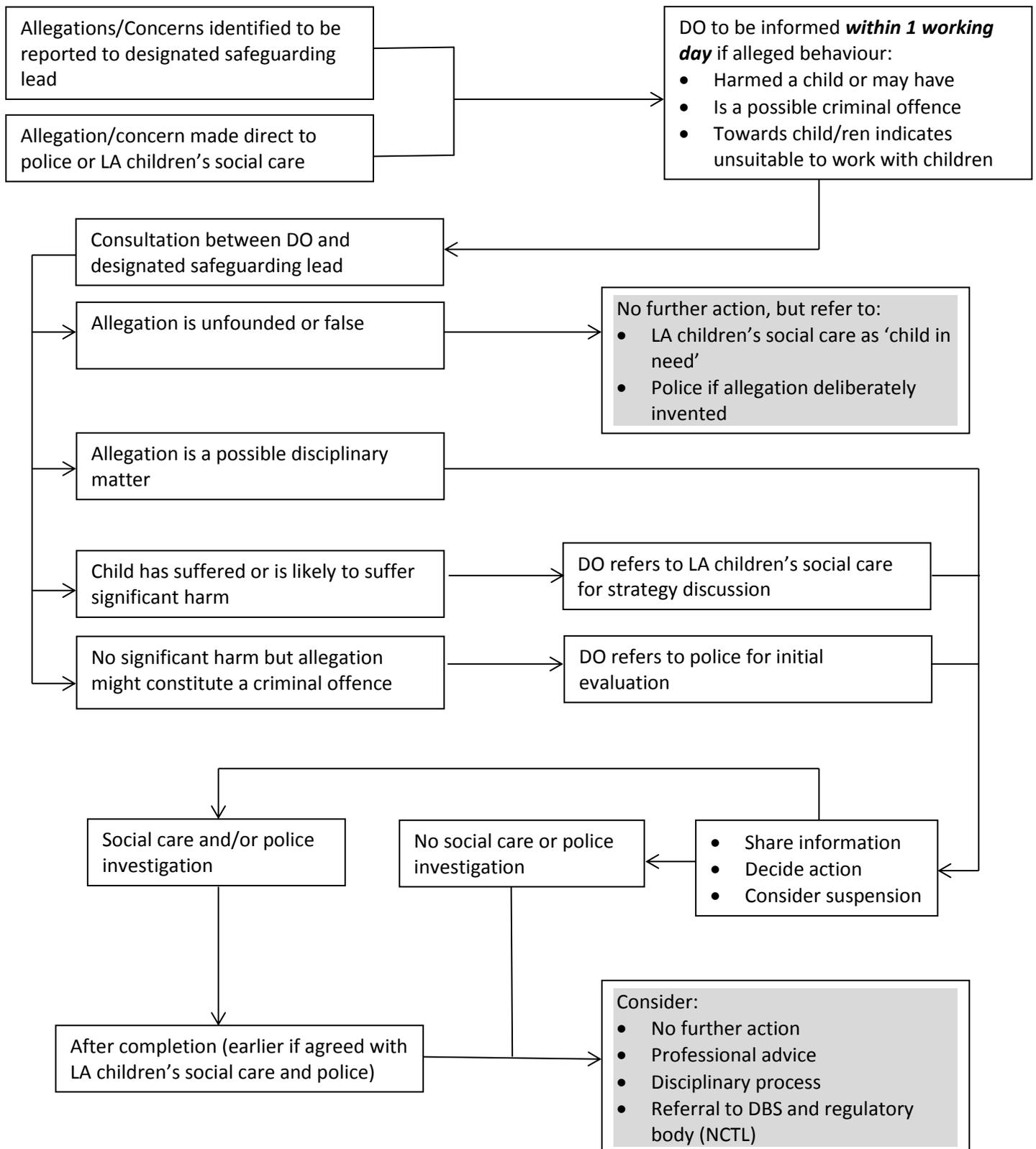
- To provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a prosecution or criminal conviction; or
- To prevent unnecessary re-investigation if an allegation re-surfaces after a period of time.

Appendix 5 provides a Record of Allegations template that schools can consider using to record allegations of this nature.

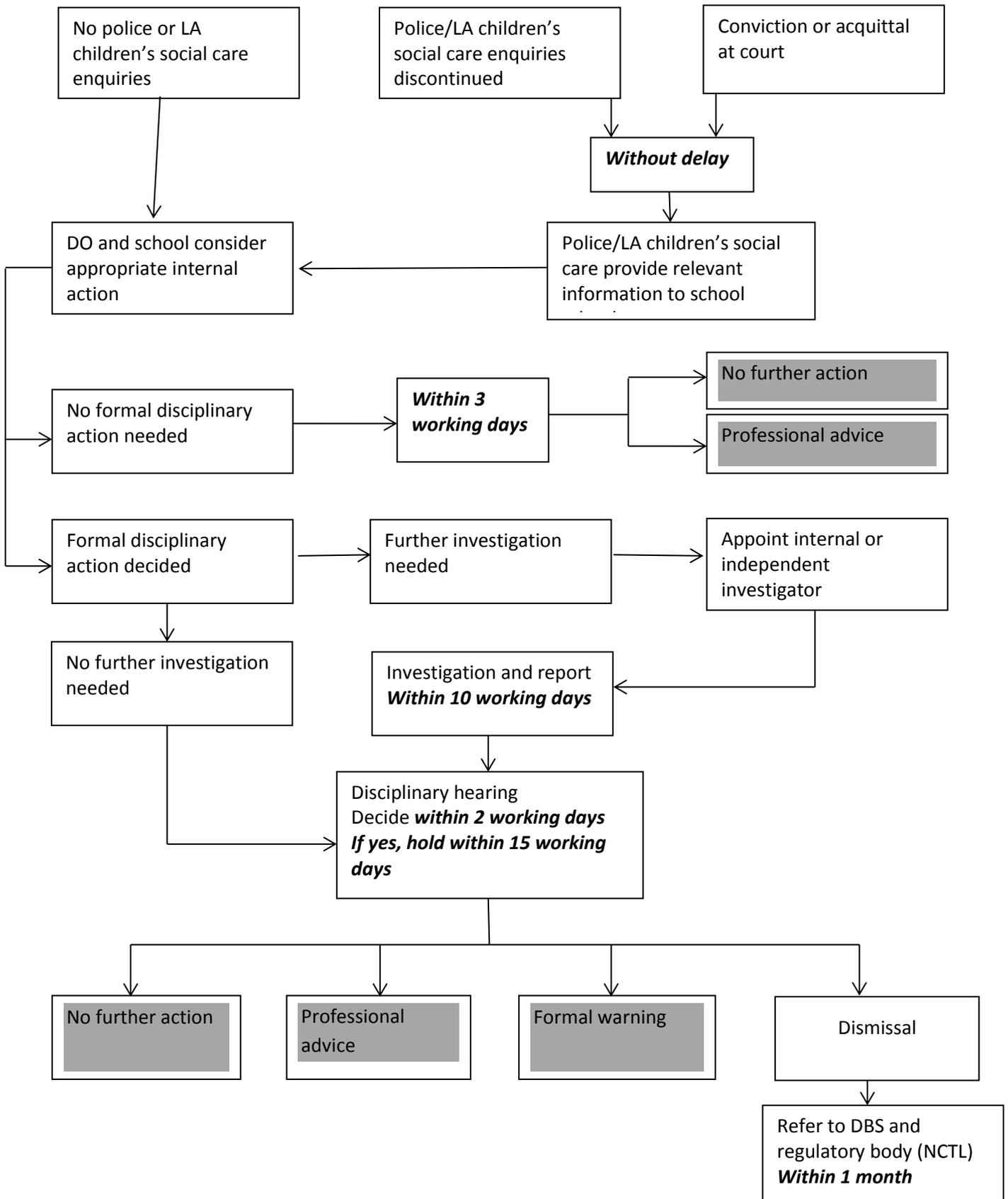
21. References

Cases in which an allegation was proven to be unsubstantiated, unfounded or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be unsubstantiated, malicious etc. should also not be included in any reference.

**Allegations/Concerns against Staff
Child Protection Process**



**Allegations/concerns against Staff
Disciplinary/suitability process**



Summary of actions

Schools can use the following summary as a checklist – but must refer to the full procedure for guidance.

- When an allegation is made it must be reported to the **school's designated safeguarding lead**.
- The designated safeguarding lead manager should report this to the **Local Authority's Designated Officer**.
- The Designated Officer will decide if a **formal strategy discussion/meeting** should be convened (in cases of risk of significant harm), and will arrange for that to happen.
- If the threshold for significant harm is not met, the Designated Officer will carry out an **initial evaluation** – this may or may not involve the police and or children's social care.
- The school and the Designated Officer will agree the **next steps** – if possible the employee will be informed of the allegation at this stage.
- The school will aim to carry out any agreed **next steps** within the recommended **timescales** (set out at Appendix 2).
- **A summary record of the allegation**, whether substantiated or not, will be kept on the individual's personnel file until they reach normal retirement age, or for ten years whichever is longer. However, allegations that are **found to have been malicious should be removed** from the personnel file.
- Allegations that are **not substantiated**, are **unfounded or malicious** should **not be referred to in employer references**.

Allegations against those who work with children reporting form

The form must be returned to the Local Authority's Designated Officer

Date of notification to the Designated Officer	
Details of person making the referral	
Organisation (School)	
Name	
Designation	
Contact Details (Telephone & Email Address)	
Details of child/young person	
Name of Child/Young Person	
Date of Birth	
Details of adult who is the subject of the allegation	
Name	
Date of Birth	
Home Address	
Occupational Group (e.g., Teacher, Teaching Assistant, Volunteer, Governor)	
Details of allegation	
Nature of Allegation	<ol style="list-style-type: none"> 1. Physical Abuse 2. Sexual Abuse 3. Neglect 4. Emotional abuse 5. On-line/internet abuse
Detail of alleged incident (include location, predisposing factors, injuries sustained, potential witnesses)	
Signature of Referrer	
To be completed by the Designated Officer	
Is a strategy meeting required?	
If Yes, proposed date of meeting	
If No, on what basis decision not to hold a strategy was reached?	
Signature of the Designated Officer	

HIGHLY CONFIDENTIAL – TO BE PLACED ON EMPLOYEE PERSONAL FILE

**RECORD OF AN ALLEGATION/CONCERN RAISED RELATING TO
AN ADULT WHO WORKS WITH CHILDREN**

School:

Name of Employee (Volunteer/Governor)	Employee Number	Date of Birth
Job Title	Date of Allegation	

PART ONE

Explanatory statement

This statement is made in accordance with guidance contained within:

- Working Together to Safeguard Children 2015
- London Child Protection Procedures 2016
- Keeping Children Safe in Education 2016

There is a requirement to keep a clear and comprehensive summary of all allegations of this nature (regardless of final outcome), how the allegation was followed up and resolved, and a note of any action taken and decisions reached.

This record will be kept on an employee's confidential personnel file, (or in case of a volunteer, confidentially stored) and a copy provided to the person concerned. However, allegations that are found to have been malicious should be removed from the personnel file.

Allegations that are not substantiated, unfounded or malicious should not be referred to in employer references.

The purpose of this record is to enable accurate information to be given in response to any future request for a reference. It will provide clarification in cases where a future DBS Disclosure reveals information from the police about an allegation that did not result in prosecution or a conviction. It will also prevent unnecessary re-investigation if, as sometimes happens, allegations resurface after a period of time.

This record will be retained on file until the employee has reached normal retirement age, or for a period of 10 years from the date of the allegation, if that is longer.

PART TWO

Summary of allegation

How allegation was followed up

Outcome of investigation (see Part Three)

Action taken and decisions reached

Employee comments (if appropriate)

Designated Safeguarding Lead (School)

Name:

Signed:

Assigned Local Authority's Designated Officer (if appropriate)

Name:

Signed:

Employee

Name:

Signed:

PART THREE

Possible outcomes are:

1. ***Substantiated:*** there is sufficient identifiable evidence to prove the allegation
2. ***False:*** there is sufficient evidence to disprove the allegation
3. ***Malicious:*** there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false
4. ***Unfounded:*** there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances.
5. ***Unsubstantiated:*** this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation, the term therefore does not imply guilt or innocence.

Role of the designated safeguarding lead (as set out in Keeping Children Safe in Education – Sept 2016)

Governing Bodies, proprietors and management committees should ensure that the school or college designates an appropriate senior member of staff to take lead responsibility for child protection. This person should have the status and authority within the school to carry out the duties of the post including committing resources and, where appropriate, supporting and directing other staff.

The broad areas of responsibility for the designated safeguarding lead are:

Managing referrals

- Refer cases (in most instances) of suspected abuse to the local authority children's social care;
- Work with the Local Authority's designated officer for child protection concerns (all cases which concerns a staff member);
- Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service;
- Refer cases where a crime may have been committed to the Police;
- Liaise with the headteacher to inform them of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations; and
- Act as a source of support, advice and expertise to staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies

Training

The designated safeguarding lead should undergo training (at least annually) to provide them with the knowledge and skills required to carry out the role. In addition, their knowledge and skills should be refreshed at regular intervals, as appropriate to allow them to understand and keep up with any developments relevant to their role so they:

- Understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments.
- Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so.
- Ensure each member of staff has access to and understands the school's safeguarding and child protection policy and procedures, especially new and part-time staff.
- Are alert to the specific needs of children in need, those with special educational needs and young carers.
- Are able to keep detailed, accurate, secure written records of concerns and referrals.

- Obtain access to resources and attend any relevant or refresher training courses.
- Encourage a culture of listening to children and taking account of their wishes and feelings, amongst all staff, in any measures the school may put in place to protect them.

Raising Awareness

The designated safeguarding lead should ensure the school's safeguarding and child protection policies are known, understood and used appropriately:

- Ensure the school's safeguarding policy and child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this.
- Ensure the safeguarding and child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school in this.
- Link with the Local Safeguarding Children's Board to make sure staff are aware of training opportunities and the latest local policies on safeguarding.
- Where children leave the school or college ensure their child protection file is transferred to the new school as soon as possible. This should be transferred separately from the main pupil file, ensuring secure transit and confirmation of receipt should be obtained.