

This policy will be provided to all staff – including temporary staff and volunteers – on induction and was Reviewed with the Governing Body on 3rd November 2016

All staff are provided with the document ‘Keeping children safe in education’ September 16 and are expected read at least part 1.

MISSION STATEMENT

*“To help every person here to achieve his or her best in work and play.
To celebrate whatever is good and to follow in the footsteps of Jesus
by supporting and forgiving each other, for the honour and glory of God.”*

At St Anne’s RC Primary School Audenshaw we recognise that everyone who comes into contact with children and their families has an important role to play in safeguarding children. Our staff aims to work effectively with social care, the police, health services and other services to promote the welfare of children and protect them from harm.

We will put into place clear policies, systems and strategies to ensure the safeguarding and welfare of pupils especially those relating to child protection, behaviour, bullying, safe recruitment of staff, health and safety, harassment and discrimination.

The staff and the governing body at our school make the safeguarding of pupils their highest priority to ensure that all children are free to learn without worry or fear or harm.

The school follows the procedure as laid down by the Local Safeguarding Board and, respects issues of confidentiality and gives priority to working together with other agencies to protect children in our care. This policy applies to all members of the school community: full time and part time staff, governors, students and volunteers.

It is written in accordance with Government guidance including Safeguarding children in Education-September 2016 , Working together to safeguard children -March 2015, What to do if you’re worried a child is being abused, Advice for practitioners March 2015 and locally through the Tameside Local Safeguarding Children Board Child Protection Procedures.

Here at St Anne’s we recognise that safeguarding is not just about protecting children from deliberate harm or neglect. We recognise that it also relates to broader aspects of care including:

- Children’s health and safety and well being.
- The use of reasonable force
- Meeting the needs of children with medical conditions
- Meeting the intimate care needs of some of the most vulnerable pupils
- Children’s emotional well being
- On line safety
- Providing first aid
- School security
- Ensuring that educational visits are safe

All staff within our school have a responsibility to provide a safe environment in which children can learn. They also have a responsibility to identify children who may be in need of extra help or who are suffering, or are likely to suffer, significant harm and to take appropriate action, working with other services as needed.

The head teacher is our designated safeguarding lead who will provide support to staff members to carry out their safeguarding duties and who will liaise closely with other services such as children’s social care. She is supported by other members of staff who have had the same level of training and act as her deputies in this respect including when she is not in school.

These are

	Designated safeguarding lead	Deputy	Deputy
Name	Eileen Gaffney	Beryl Brennan	Alicia Freeley
Job title	Head teacher	Learning mentor	Acting Deputy Head

We will ensure that

- termly information is provided to the governing body including data relating incidents reported to external agencies, accidents, behaviour and attendance so that this can be effectively monitored
- we have in place designated staff and governors who meet their responsibilities for safeguarding including child protection and ensure they are adequately trained. The governor responsible for safeguarding is Mrs Carolyn Burke.
- all relevant policies are monitored and evaluated at least annually to ensure that they are up to date and meet the statutory requirements for safeguarding
- the policy for **safer recruitment** for all adults working with pupils in school is applied
- we regularly revisit safeguarding procedures with all staff and provide necessary training, this might be via e-bulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments, at regular intervals, as required, **but at least annually**, to allow them to understand and keep up with any developments relevant to their role
- all children are aware of who they can talk to if they are worried or have concerns about their safety.
- reasonable action is taken to make the school site is safe and secure including by checking and monitoring visitors and anyone else using the school grounds.
- we liaise with all relevant professionals including the local authority , social care, police, appropriately including when a child’s safety is at risk
- clear and accurate records of any safeguarding concerns are kept and shared with the relevant agencies.
- Through assemblies, PHSE and circle time we teach children how to keep themselves safe and show them how to deal sensibly with risk including when using modern technology

The role and responsibilities of every member of staff within St Anne’s are to:

- know who the designated safeguarding lead is
- know and follow the school’s safeguarding procedures
- attend meetings as requested by the ‘Designated safeguarding lead ’
- monitor any vulnerable child who is in their care, and implement any child protection plan for a child who is on the risk register or who is defined as a child in need.
- ensure that they do not treat any child they know to have been abused any differently from other pupils
- have an awareness of the possible indicators of abuse
- keep any sensitive information which has been shared with them confidential
- uphold the staff code of conduct see annexe 1

Staff training

All staff members should be aware of systems within the school which support safeguarding and these will be explained to them as part of staff induction.

This includes:

- the school's safeguarding and child protection policy;
- the school's staff code of conduct
- the role of the designated safeguarding lead in the school
- the school's policy regarding restraint

All staff members should also receive appropriate child protection guidance which is regularly updated **but at least annually**, to allow them to understand and keep up with any developments relevant to their role

All staff members should be aware of the signs of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection.

Staff members working with children are advised to maintain an attitude of 'it could happen here' where safeguarding is concerned.

All staff should be aware of the early help process, and understand their role in it. This includes identifying problems as soon as they emerge, liaising with the designated safeguarding lead, sharing information with other professionals to support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment.

All staff should be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989 that may follow a referral, along with the role they might be expected to play in such assessments.

When concerned about the welfare of a child, staff members should always act in the interests of the child.

Knowing what to look for is vital to the early identification of abuse and neglect.

Staff should be aware that abuse is complex issue and various forms of abuse or events may overlap.

Some of the following signs might be indicators of abuse or neglect:

- Children whose behaviour changes – they may become aggressive, challenging, disruptive, withdrawn or clingy, or they might have difficulty sleeping or start wetting the bed;
- Children with clothes which are ill-fitting and/or dirty;
- Children with consistently poor hygiene;
- Children who make strong efforts to avoid specific family members or friends, without an obvious reason;
- Children who don't want to change clothes in front of others or participate in physical activities;
- Children who are having problems at school, for example, a sudden lack of concentration and learning or they appear to be tired and hungry;
- Children who talk about being left home alone, with inappropriate carers or with strangers;

- Children who reach developmental milestones, such as learning to speak or walk, late, with no medical reason;
- Children who are regularly missing from school or education; • Children who are reluctant to go home after school;
- Children with poor school attendance and punctuality, or who are consistently late being picked up;
- Parents who are dismissive and non-responsive to staffs' 'concerns;
- Parents who collect their children from school when drunk, or under the influence of drugs;
- Children who drink alcohol regularly from an early age;
- Children who are concerned for younger siblings without explaining why;
- Children who talk about running away;
- Children who shy away from being touched or flinch at sudden movements.

Physical abuse

Physical abuse is deliberately physically hurting a child. It might take a variety of different forms, including hitting, pinching, shaking, throwing, poisoning, burning or scalding, drowning or suffocating a child.

Physical abuse can happen in any family, but children may be more at risk if their parents have problems with drugs, alcohol and mental health or if they live in a home where domestic abuse happens.

Babies and disabled children also have a higher risk of suffering physical abuse. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Physical abuse can also occur outside of the family environment.

Some of the following signs may be indicators of physical abuse:

- Children with frequent injuries;
- Children with unexplained or unusual fractures or broken bones;
- Children with unexplained: bruises or cuts; burns or scalds; or bite marks.

Child Sexual Exploitation doesn't always involve physical contact and can happen online. A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point.

Some of the following signs may be indicators of sexual exploitation:

- Children who appear with unexplained gifts or new possessions;
- Children who associate with other young people involved in exploitation;
- Children who have older boyfriends or girlfriends;
- Children who suffer from sexually transmitted infections or become pregnant
- Children who suffer from changes in emotional well-being;
- Children who misuse drugs and alcohol; •
- Children who go missing for periods of time or regularly come home late;
- Children who regularly miss school or education or don't take part in education.

Neglect

Neglect is a pattern of failing to provide for a child's basic needs, whether it be adequate food, clothing, hygiene, supervision or shelter. It is likely to result in the serious impairment of a child's health or development.

Children who are neglected often also suffer from other types of abuse.

It is important that staff remain alert and do not miss opportunities to take timely action. However, while you may be concerned about a child, neglect is not always straightforward to identify.

Neglect may occur if a parent becomes physically or mentally unable to care for a child. A parent may also have an addiction to alcohol or drugs, which could impair their ability to keep a child safe or result in them prioritising buying drugs, or alcohol, over food, clothing or warmth for the child. Neglect may occur during pregnancy as a result of maternal drug or alcohol abuse

Some of the following signs may be indicators of neglect:

- Children who are living in a home that is indisputably dirty or unsafe;
- Children who are left hungry or dirty;
- Children who are left without adequate clothing, e.g. not having a winter coat;
- Children who are living in dangerous conditions, i.e. around drugs, alcohol or violence;
- Children who are often angry, aggressive or self-harm;
- Children who fail to receive basic health care ;
- Parents who fail to seek medical treatment when their children are ill or are injured.

What staff should do if they have concerns about a child.

If a child makes a disclosure

- react calmly
- reassure the child that they were right to tell and that they are not to blame
- take what the child says seriously
- Keep questions to an absolute minimum to ensure a clear and accurate understanding of what has been said. Don't ask about explicit details.
- reassure but do not promise confidentiality, which might not be feasible in the light of subsequent developments
- inform the child/young person what you will do next.
- make a full and written record of what has been said/heard as soon as possible
- do not delay in passing on the information to the designated safeguarding lead or where appropriate her deputies

The written report will include the following:

- the child's name, age and date of birth
- whether or not the person making the report is expressing their own concerns or those of someone else.
- the nature of the allegation, including dates, times and special factors and other relevant information.
- make a clear distinction between what is fact, opinion or hearsay.
- a description of any visible bruising or other injuries.
- also any indirect signs, such as any behavioural changes.
- details of witnesses to the incidents.
- the child's account, if it can be given, of what has happened

Any disclose or concerns, including concerns raised by other children or a third party should be reported via the school's designated safeguarding lead. The safeguarding lead will usually decide whether to make a referral to children's social care;

Our aim is to create an open culture where staff and parents feel confident to raise concerns or to challenge senior leaders if they feel their concerns have not been robustly followed up.

In exceptional circumstances, such as in emergency or a genuine concern that appropriate action has not been taken, staff members or parents can speak directly to children's social care.

In Tameside The Designated Officer is: **Tania Brown**

Her contact details are: 0161 3424101 or E Mail: tania.brown@tameside.gov.uk

Public Service Hub

Monday to Friday during Office Hours 0161 342 4101
Monday to Friday outside of Office Hours, Weekends and Public Holidays:
0161 342 2222

Some of our children are the responsibility of Manchester Social Care. The contact details are:

- Manchester Safeguarding Children Board (MSCB) on 0161 234 5001 (24 hour service) or email mcsreply@manchester.gov.uk
- (you can use our secure email address if you are sending sensitive information e.g. a child's details, email socialcare@manchester.gcsx.gov.uk)
- NSPCC Child Protection helpline on 0808 800 5000 (free 24 hour service)
- Childline 08001111 (a free 24 hour helpline for children)

If a child is in immediate danger the police should be contacted

Useful advice about making a referral can be found via the following link to Tameside's children's safeguarding board. The designated safeguarding lead should be informed if a referral has been made.

Concern's about children's behaviours to others.

Staff need to be aware of peer on peer abuse and be aware that children can abuse children. Where there is concern about a child's behaviour towards other children the school will follow the procedures established by the local children's safeguarding board.

Sexual Exploitation

The Phoenix Tameside team has been formed to tackle any kind of CSE in our borough. The team is co-located at Ashton Police Station and they serve the whole of Tameside. The team will give advice to young people on how to stay safe and keep their friends safe, they also provide information to parents and carers so they can spot the signs of CSE and be more generally aware of it.

The school follows the guidance detailed in the Document 'Keeping children safe in Education' September 2016. A hard copy of this document is posted in the Staff Room and is also available on the Teacher's Drive.

This guidance should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) the school has behaved in a way that has harmed a child, or may have harmed a child or behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children. This part of the guidance relates to members of staff who are currently working in the school regardless of whether the school is where the alleged abuse took place.

Allegations against a teacher who is no longer teaching will be referred to the police.

Historical allegations of abuse will also be referred to the police.

The procedures for dealing with allegations will be applied with common sense and judgement. For full details of the Trust's procedures see annexe 2.

Children Missing from Education

A child going missing from education is a potential indicator of abuse or neglect and such children are at risk of being victims of harm, exploitation or radicalisation. School staff will follow their procedures for unauthorised absence and for dealing with children that go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones and female genital mutilation.

The school will notify the local authority within five days when a pupil's name is added to the admission register other than at the start of the Reception year. The school will also notify the local authority when a pupil's name is to be deleted from the admission register as soon as the ground for deletion is met and no later than the time at which the pupil's name is deleted from the register.

We recognise that it is essential that schools comply with these duties, so that local authorities can, as part of their duty to identify children of compulsory school age who are missing education, follow up with any child who might be at risk of not receiving an education and who might be at risk of being harmed, exploited or radicalised.

The school will inform the local authority of any pupil who is going to be deleted from the admission register where they:

- have been taken out of school by their parents and are being educated outside the school system e.g. home education;
- have ceased to attend school and no longer live within reasonable distance of the school at which they are registered;
- have been certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither he/she nor his/her parent has indicated the intention to continue to attend the school after ceasing to be of compulsory school age;
- are in custody for a period of more than four months due to a final court order and the proprietor does not reasonably believe they will be returning to the school at the end of that period; or,
- have been permanently excluded.

The school will inform the local authority of any pupil who fails to attend school regularly, or has been absent without the school's permission for a continuous period of 10 school days or more, at such intervals as are agreed between the school and the local authority.

Female Genital Mutilation (FGM)

This comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

From October 2015 a statutory duty has been placed on teachers to report to the police where they discover that FGM appears to have been carried out on a girl under 18.

It will be rare for teachers to see visual evidence, and they should not be examining pupils, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies.

Unless the teacher has a good reason not to, they should still consider and discuss any such case with the school’s designated safeguarding lead and involve children’s social care as appropriate.

Opportunities to Teach Safeguarding within the Curriculum

All children are taught about how to keep themselves safe as part of the curriculum. This includes Personal, Social Health and Economic Education (PHSE), Circle Time forms part of a weekly Programme across school and is carried out by the Learning Mentor in Key Stage 2. Age appropriate Sex and Relationships Education (SRE) is taught with due respect to the Catholic Faith and its Guidelines. Subjects such as E Safety are covered and, from time to time Programmes are delivered by external groups such as The School Nurse, Police, NSPCC and Safe Squad.

Looked After Children

The School has a Designated Teacher to promote the Education and Achievement of children who are looked after. This is the Headteacher.

We will ensure the designated person with responsibility for Looked After Children has appropriate training.

The named person should have the information they need in relation to a child’s looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility.

They should also have information about the child’s care arrangements and the levels of authority delegated to the carer by the authority looking after him/her.

The designated safeguarding lead, through the designated teacher for looked after children, should have details of the child’s social worker and the name of the virtual school head in the authority that looks after the child.

Children with Special Educational Needs and Disabilities

Staff should be aware that children with special educational needs (SEN) and disabilities can face additional safeguarding challenges.

These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration
- the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- communication barriers and difficulties in overcoming these barriers.

Safer recruitment

When recruiting staff the school’s safer recruitment policy will be followed.

- Statutory checks will be made on the background who work within the trust
- At least one person on each panel will have safer recruitment training
- **The responsibility of the Governing Bodies**

The role of the Governing Body

The Governing Body will fully support the role and responsibilities of the designated safeguarding lead and her deputies and will ensure that:

- An effective safeguarding / child protection policy in place together with a staff code of conduct)
- This policy together with the staff code of conduct is understood and is implemented fully and followed by all staff so that appropriate action can be taken in timely manner to safeguard and promote children's welfare.
- an environment is created where staff feel able to raise concerns and feel supported in their safeguarding role
- clear Whistleblowing Procedures are implemented, which are suitably referenced in Staff Training and Codes of Conduct. There is a culture that enables issues about Safeguarding and promoting the welfare of children to be addressed.
- a senior member of staff undertakes the role as the safeguarding lead and that there are deputies available trained to the same standard to provide cover in the absence of the lead
- time is available for both the designated safeguarding lead, her deputies and staff to be trained
- that the safeguarding lead and her deputies undertake appropriate training every two years
- staff receive regular updates relating to safeguarding that ensure that they have the skills, knowledge and understanding necessary to keep all children safe including looked after children .
- that the safeguarding lead undertakes Prevent Training and as a minimum other members of staff understand the Prevent duty
- all new staff undertake safeguarding training at induction that is in line with advice from Tameside LSCB
- statutory responsibilities are met in relation to checking the backgrounds staff who work with children and learners
-
- that volunteers are appropriately supervised
- inter-agency procedures are known and followed in line with statutory guidance Working Together to Safeguard Children 2015.
- time and the necessary resources are available for the designated lead to carry out their role and responsibilities
- a member of the Governing Body, usually the chair, is nominated to liaise with the designated officer(s) from the relevant local authority and partner agencies in the event of allegations of abuse made against the headteacher
- procedures to be followed regarding allegations against staff are in place
- there are procedures in place to handle allegations against other children
- at least one person on any appointment panel has undertaken safer recruitment training
- the safeguarding policy is updated annually so that it complies with the most recent statutory guidance
- that appropriate filters are in place so that children are protected from inappropriate materials when they are working on line

- that the school curriculum helps children to keep themselves safe including educating them about E–Safety
- all governors have an enhanced DBS check and barred list check if they also engage in regulated activity.
- they themselves access regular training that helps them to carry out their role relating to safeguarding to the best of their abilities

Regular reports to Governors will be provided which details training and supports governors to meet their obligations including reviewing policy and procedures

Annex 1 Staff code of conduct

General principles of staff conduct

- Staff should provide a good example and a positive role model to pupils
- Staff should behave in a mature, respectful, safe, fair and considered manner.
- Staff must not discriminate favourably or unfavourably towards any pupil.
- Staff should not give or receive (other than token) gifts
- Staff must ensure that relationships with pupils and their families always remain on a professional footing
- Staff must not behave in a way that could lead a reasonable observer to question conduct, intentions or suitability to care for other people’s children.
- Staff must not make arrangements to contact, communicate or meet with pupils outside work including by mobile phone or other forms of modern technology
- Staff must not develop ‘personal’ relationships with pupils and their families
- Personal social media accounts such as Face Book should not be used to communicate with parents or pupils. Staff should act prudently with regard to privacy settings.
- Personal mobile phones should not be in the classroom and mobile phones with cameras should not be in areas where children are vulnerable to any invasion of their privacy.

Please see Code of Conduct for Staff and Volunteers

Annex 2

The role of the Designated Safeguarding Lead

Our school has a designated safeguarding lead and two deputies. This person has the appropriate authority and is given the time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters, to take part in strategy discussions and inter-agency meetings – and/or to support other staff to do so contribute to the assessment of children. There is always cover for this important role.

The Designated Lead should

- Co-ordinate action in case of child protection issues both within school and with outside agencies
- Liaise with the local authority and work with other agencies in line with Working Together to Safeguard Children 2015
- Support staff If early help or other support is considered appropriate and they are required to liaise with other agencies.
- Provide advice and support to other staff on child protection matters on regular basis and ensure annual updates as a minimum

- Ensure that appropriate staff (including Mentors) within the school know sufficient about the child at risk to support him/her within school and protect him/her
- Ensure that all staff coming into contact with children what signs to look for that might indicate abuse and know what action they should take to report any concerns
- Make certain that staff know how they should react and the steps they should take if a child discloses information to them
- Make sure that staff also know how to report concerns they might have about other staff
- Keep records regarding children on the “Child Protection Register” up to date confidential and secure
- Keep case under constant review and consideration including making and escalating further referrals if a child situation is not improving
- Pass on information when the child changes schools
- Attend relevant training which is updated every two years, in line with advice from the LSCB

Annex 3

Allegations of Abuse made against Teachers and Other Staff

The school follows the Guidance detailed in the Document “Keeping Children Safe in Education” September 2016 and The Guidance of the LSCB

This Guidance relates to Members of Staff who are currently working in our school regardless of whether the school is where the alleged abuse took place and should be used in respect of all cases in which it is alleged that a Teacher or Member of Staff (including Volunteers) has behaved in a way that has, or may have, harmed a child or behaved towards a child/ren in a way that indicates that s/he would pose a risk of harm to children. Allegations against a Teacher who is no longer teaching should be referred to the Police. Historical allegations of abuse should also be referred to the Police.

St Anne’s recognises that we have a duty of care to our employees and will provide the employee with a named contact if they are suspended.

St Anne’s recognises that it is essential that any allegation of abuse made against a Teacher or any other Member of Staff/Volunteer is dealt with swiftly in a fair and consistent manner that provides effective protection for the child whilst, at the same time, supports the person who is the subject of the allegation.

Where the Headteacher is the subject of an allegation, the Chair of Governors should immediately discuss the allegation with the Local Authority Designated Officer:

(Tania Brown – Tameside 0161 342 4101 or Majella O’Hagan – Manchester 0161 224 1214)

The Following Procedures for dealing with allegations will be applied with common sense and judgement:

- The case Manager will be appointed by the school
- The purpose of the initial discussion is for the Designated Officer(s) and the Case Manager to consider the nature, content and context of the allegation and agree a course of action The Designated Officer(s) may ask the Case Manager to provide or obtain relevant additional information, such as previous history, whether the child or family have made similar allegations previously and the individual’s current contact with children. There may be situations when the case manager will want to involve the police immediately, for example if the person is deemed to be an immediate risk to

children or there is evidence of a possible criminal offence. Where there is no such evidence, the case manager should discuss the allegations with the designated officer(s) in order to help determine whether police involvement is necessary.

- The 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 case manager and the designated officer(s), and agreement reached on what information should be put in writing to the individual concerned and by whom. The case manager should then consider with the designated officer (s) what action should follow both in respect of the individual and those who made the initial allegation.
- The case manager should inform the accused person about the allegation as soon as possible after consulting the designated officer(s). It is extremely important that the case manager informs individuals about concerns or allegations as soon as possible and given an explanation of the likely course of action. Where a strategy discussion is needed, or police or children's social care services need to be involved, the case manager should not do that until those agencies have been consulted, and have agreed what information can be disclosed to the accused. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support.
- The case manager should appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. For staff in schools, that may include support via The Local Authority Human Resources and/or Occupation Health arrangements. Particular care will be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues.
- Social contact with colleagues and friends will not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.
- Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the school or college or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension should be considered prior to taking that step.
- The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the children involved in the allegations. In some rare cases this will require the case manager to consider suspending the accused until the case is resolved. Suspension should not be an automatic response when an allegation is reported; all options to avoid suspension should be considered prior to taking that step. If the case manager is concerned about the welfare of other children in the community or the teacher's family, those concerns should be reported to the designated officer(s) or police. But suspension is highly unlikely to be justified on the basis of such concerns alone.
- If there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion should be convened in accordance with the statutory guidance Working Together to Safeguard Children 2015. If the allegation is about physical contact, the strategy discussion or initial evaluation with the police should take into account that teachers and other school staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour.
- Where it is clear that an investigation by the police or children's social care services is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the designated officer(s) should discuss the next steps with the case manager. In those circumstances, the options open to the school depend on the nature and circumstances of the allegation and the evidence and information available. This will

range from taking no further action to dismissal or a decision not to use the person's services in future. Suspension should not be the default position: an individual should be suspended only if there is no reasonable alternative.

- 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. However, where a strategy discussion is required, or police or children's social care services need to be involved, the case manager should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. Parents or carers should also be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, will normally be disclosed, but the parents or carers of the child should be told the outcome in confidence.
- Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002 (see paragraph 125). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.
- Where it is clear that an investigation by the police or children's social care services is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the designated office(s) should discuss the next steps with the case manager. In those circumstances, the options open to the school will depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further action to dismissal or a decision not to use the person's services in future. Suspension should not be the default position: an individual should be suspended only if there is no reasonable alternative.
- In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the designated officer(s) should discuss with the case manager how and by whom the investigation will be undertaken. In straightforward cases, the investigation should normally be undertaken by a senior member staff.
- Further guidance on the management of allegations is available via the Local children's safeguarding board website or by contacting Tania Brown.

The following definitions should be used when determining the outcome of allegation investigations:

- Substantiated: there is sufficient evidence to prove the allegation;
- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;
- False: there is sufficient evidence to disprove the allegation;
- Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence

There must also be procedures in place to make a referral to the Disclosure and Barring Service (DBS) if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have been had they not resigned. **This is a legal duty and failure to refer when the criteria are met is a criminal offence.**

- If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance. A referral to the DBS must be made, if the criteria are met.
- If the accused person resigns or their services cease to be used and the criteria are met it will not be appropriate to reach a settlement/compromise agreement.
- Details of allegations that are found to have been malicious should be removed from personnel records.

- For all other allegations, 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, will be kept on the confidential personnel file of the accused, and a copy provided to the person concerned.
- The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, an allegation re-surfaces after a period of time.
- The record will be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.
- Cases in which an allegation was proven to be false, unsubstantiated or malicious will not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious will also not be included in any reference

DBS barring helpline

Telephone: 01325 953795

Employers must [refer someone to DBS](#) if they:

- sacked them because they harmed someone
- sacked them or removed them from working in [regulated activity](#) because they might have harmed someone
- were planning to sack them for either of these reasons, but they resigned first

Confidentiality

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

The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify the teacher as the subject of the allegation).

Appendix 4 RECEIVING AN ALLEGATION/DISCLOSURE OF ABUSE

Action to be taken by any staff on receiving an allegation/disclosure of abuse.
Good practice means that the person to whom the child chooses to disclose, should listen and record as below, and not expect the child to repeat the information to a series of people.

