

# **St Chad's Patchway CE VC Primary School**

## **Safeguarding Policy**

*"Learning to love, loving to learn."*

### **Introduction**

At St Chad's CE VC Primary School we are constantly striving for excellence in all that we do by setting high expectations and working together as a community to provide a happy, secure and stimulating environment in which children are safeguarded, protected from harm and neglect and feel safe and secure at all times.

The policy is consistent with:

- The legal duty to safeguard and promote the welfare of children, as described in section 175 of the Education Act 2002, and the department for Education statutory guidance "Keeping Children Safe in Education".
- The procedures of South Gloucestershire Safeguarding Children Board available on their website, which contains inter-agency processes, protocols and expectations for safeguarding children.

Section 175 of the Education Act 2002 gives maintained schools a statutory duty to promote and safeguard the welfare of children, and have due regard to guidance issued by the Secretary of State. Governors have a particular responsibility to maintain an overview and to ensure that the two key aspects of safeguarding arrangements are met.

### **Definitions**

**Safeguarding and promoting the welfare of children** is defined for the purposes of this guidance as:

- Protecting children from maltreatment;
- Preventing impairment of children's health or development ensuring that children are growing up in circumstances consistent with the provision of safe and effective care;
- and undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

Protecting children from maltreatment is important in preventing the impairment of health or development though that in itself may be insufficient to ensure that children are growing up in circumstances consistent with the provision of safe and effective care.

**Child protection** is a part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

Effective child protection is essential as part of wider work to safeguard and promote the welfare of children. However, all agencies and individuals should aim to proactively safeguard and promote the welfare of children so that the need for action to protect children from harm is reduced.

## **Safeguarding Policy Statement**

We recognise our legal and moral duty to promote the well-being of children, and protect them from harm, and respond to child abuse. We acknowledge our responsibilities to both protect children from maltreatment and prevent impairment. We will promote their welfare by creating opportunities for them to achieve their full potential in the areas identified within the Every Child Matters Agenda, thus giving them optimum life chances in adulthood. We believe that every child regardless of age has at all times and in all situations a right to feel safe and protected from any situation or practice that results in a child being physically or psychologically damaged. This includes any form of bullying (for example, racist).

We recognise that many of the risks to children in the 'real world' equally apply to 'virtual world' that children and young people may encounter when they use ICT in its various forms. We take seriously our responsibility to educate our children to help them to become safe and responsible users of new technologies, and allow them to be discriminating users of both the content they discover and the contacts they make online. Our aim is to teach them the appropriate behaviours and critical thinking skills to remain both safe and legal online, wherever and whenever they use technology.

We agree that we have a primary responsibility for the care, welfare and safety of the pupils in our charge, and we will carry out this duty through our teaching and learning, extra-curricular activities, pastoral care and extended school activities. In order to achieve this, all members of staff (including volunteers and governors) in this school, in whatever capacity, will at all times act proactively in child welfare matters especially where there is a possibility that a child may be at risk of significant harm.

We seek to adopt an open and accepting attitude towards children as part of our responsibility for pastoral care. We believe it is important that the voice of the child is 'heard' and that the day to day life experiences of the child in their own home are captured and contribute to any planning and provision. The school hopes that parents and children will feel free to talk about any concerns and will see school as a safe place if there are any difficulties at home.

Children's worries and fears will be taken seriously if they seek help from a member of staff. However, staff cannot promise secrecy if concerns are such that referral must be made to the appropriate agencies in order to safeguard the child's welfare.

Our school believes in the importance of early identification of issues for children and young people. We fully endorse the principles of multi-agency working and will engage in the CAF (Common Assessment Framework) process for any child in our school for whom we feel this is appropriate.

In our school, if we have suspicions that a child's physical, sexual or emotional wellbeing is being, or is likely to be, harmed, or that they are being neglected, we will take appropriate action in accordance with the procedures of South Gloucestershire Safeguarding Children Board which are to be found at [www.swcpp.org.uk](http://www.swcpp.org.uk)

As a consequence, we

- assert that teachers and other members of staff (including volunteers) in the school are an integral part of the child safeguarding process;
- accept totally that safeguarding children is an appropriate function for all members of staff in the school, and wholly compatible with their primary pedagogic responsibilities.
- recognise that safeguarding children in this school is a responsibility for all staff, including volunteers, and the Governing body;
- will ensure through training and supervision that all staff and volunteers in the school are alert to the possibility that a child is at risk of suffering harm, and know how to report concerns or suspicions;
- will designate a senior member of staff with knowledge and skills in recognising and acting on child protection concerns. He or she will act as a source of expertise and advice, and is responsible for co-ordinating action within the school and liaising with other agencies;
- ensure (through the designated member of staff) that staff with designated responsibility for child protection will receive appropriate training to the minimum standard set out by South Gloucestershire Safeguarding Children Board (SGSCB)
- will share our concerns with others who need to know, and assist in any referral process
- will ensure all staff understand their role and responsibility in understanding the world the child is living in, hearing the child's voice and gathering information about the day to day experience of the child in the home which may contribute to planning and provision
- will ensure that all members of staff and volunteers who have suspicion that a child may be suffering, or may be at risk of suffering significant harm, refer such concerns to the Designated member of staff, who will refer on to Children's Social Care in accordance with the procedures issued by South Gloucestershire Safeguarding Children Board.
- safeguard the welfare of children whilst in the school, through positive measures to address bullying, especially where this is aggravated by sexual or racial factors, disability or special educational needs, or technology • will ensure that all staff are aware of the child protection procedures established by South Gloucestershire Safeguarding Children Board and, where appropriate, the Local Authority, and act on any guidance or advice given by them;
- will ensure through our recruitment and selection of volunteers and paid employees that all people who work in our school are suitable to work with children,
- will act swiftly and make appropriate referrals where an allegation is made that a member of staff has committed an offence against a child, harmed a child, or acted in a way that calls into question their suitability for working with children.

## **Listening to children**

Safeguarding children is about listening to them and understanding the world they are living in.

Experience, and consultation with children, shows that they will talk about their concerns and problems to people they feel they can trust and they feel comfortable with.

It is therefore essential that all staff and volunteers in our school know how to respond sensitively to a child's concerns, who to approach for advice about them, and the importance of not guaranteeing complete confidentiality. The family context of the child and detail of their day-to-day life at home is also an important part of really listening to the child.

Children also want to know that they will be listened to and their concerns will be taken seriously. We seek to demonstrate to our children that they are in a safe environment where it is okay to talk by displaying helpful information about such things as national children's help lines (ChildLine, NSPCC) and peer support schemes for children and young people in easily accessible places which can encourage them to share concerns and help provide assurance about that.

Any member of staff or volunteer who is approached by a child wanting to talk will listen positively and reassure the child. They will record the discussion with the pupil as soon as possible and take action in accordance with these child protection procedures.

The way in which a member of staff talks to a child who discloses abuse could have an effect on the evidence that is put forward if there are subsequent proceedings, and it is important that staff do not jump to conclusions, ask leading questions, or put words in a child's mouth. If a child makes a disclosure to a member of staff s/he should write a record of the conversation as soon as possible, distinguishing clearly between fact, observation, allegation and opinion, noting any action taken in cases of possible abuse, and signing and dating the note and passing this information to the appropriate senior person as identified in this policy.

## Aims

We aim to follow procedures and polices to ensure that:

- pupils are safe from maltreatment, neglect, violence and sexual exploitation.
- pupils learn in a supportive, caring and safe environment without fear of being bullied.
- pupils are safe from accidental injury and death.
- pupils are safe from crime and anti-social behaviour in and out of school.
- pupils have the best possible opportunity for healthy development.

Governors, staff, parents and other parties with vested interests need to be clear that the following are secure:

- ❖ Child protection policies and procedures are in place and available to parents.
- ❖ The school operates safer recruitment procedures as described in the policy, including checks on qualifications, health and the like where appropriate; at least one member of a recruitment panel will have taken safer recruitment training.
- ❖ The school has appropriate procedures for handling allegations of abuse against its staff, including if the allegation is against the Headteacher, where a nominated member of the governing body will take responsibility.
- ❖ A senior member of the leadership team is designated to lead on child protection issues; this person undertakes inter-agency working and refresher training at least every two years.
- ❖ All other staff who work with children should have refresher training every three years; temporary or volunteer staff should be aware of the school's child protection procedures.
- ❖ Any deficiencies brought to the governing body's attention must be dealt with.
- ❖ Policies related to safeguarding are reviewed annually.
- ❖ A safe learning environment, with reasonable steps taken to ensure risks of harm to children's welfare are minimised.
- ❖ Child welfare concerns are responded to appropriately, working to agreed policies and procedures in partnership with other agencies.
- ❖ Also refer to appendix 2.

The school's leadership of high-quality practice, with regularly updated procedures, will underpin a comprehensive awareness of the issues and a proportionate approach to safety and safeguarding across the life of the school.

## **Designated member of staff**

The designated senior member of staff (designated person) for child protection in this school is:

Mr Darren Brown (Headteacher)

In their absence, these matters will be dealt with by:

Mrs Helen Ives (Deputy Headteacher)

The designated person is key to ensuring that proper procedures and policies are in place and are followed with regard to child safeguarding issues. They will also act as a dedicated resource available for other staff, volunteers and governors to draw upon.

The school recognises that

- The designated person must have the status and authority within the school management structure to carry out the duties of the post – they must therefore be a senior member of staff in the school
- All members of staff (including volunteers) must be made aware of who this person is and what their role is.
- The designated person will act as a source of advice and coordinate action within the school over child protection cases
- The designated person will need to liaise with other agencies and build good working relationships with colleagues from these agencies.
- They should possess skills in recognising and dealing with child welfare concerns.
- Appropriate training and support should be given.
- The designated person is the first person to whom members of staff report concerns.
- The designated person is responsible for referring cases of suspected abuse or allegations to the relevant investigating agencies according to the procedures established by SGSCB.
- The designated person is not responsible for dealing with allegations made against members of staff.

To be effective they will:

- Act as a source of advice, support and expertise within the school and be responsible for coordinating action regarding referrals by liaising with Children's Social care and other relevant agencies over suspicions that a child may be suffering harm.
- Cascade safeguarding advice and guidance issued by South Gloucestershire Safeguarding Children Board.
- Where they have concerns that a referral has not been dealt with in accordance with the child protection procedures, refer to the Safeguarding Children Strategic manager of SGSCB to investigate further.

- Ensure each member of staff and volunteers at the school, and regular visitors (such as Education Welfare Officers, trainee teachers and supply teachers) are aware of and can access readily, this policy.
- Liaise with the head teacher (if not head teacher) to inform him/her of any issues and ongoing investigations and ensure there is always cover for the role.
- Ensure that this policy is updated and reviewed annually and work with the designated governor for child protection regarding this.
- Be able to keep detailed accurate secure written records of referrals/concerns, and ensure that these are held in a secure place.
- Ensure parents are aware of the child protection policy in order to alert them to the fact that the school may need to make referrals. Raising parents' awareness may avoid later conflict if the school does have to take appropriate action to safeguard a child.
- Where children leave the school roll, ensure any child protection file is transferred to the new school as soon as possible, separately from the main file, and addressed to the designated person for child protection.
- Where a child leaves and the new school is not known, ensure that the local authority is alerted so that the child's name can be included on the database for missing pupils. The designated person also has an important role in ensuring all staff and volunteers receive appropriate training.

They should:

- Attend training in how to identify abuse and know when it is appropriate to refer a case
- Have a working knowledge of how South Gloucestershire Safeguarding Children Board operates and the conduct of a child protection case conference and be able to attend and contribute to these when required.
- Attend any relevant or refresher training courses and then ensure that any new or key messages are passed to other staff, volunteers and governors.
- Make themselves (and any deputies) known to all staff, volunteers and governors (including new starters and supply teachers) and ensure those members of staff have had training in child protection. This should be relevant to their needs to enable them to identify and report any concerns to the designated teacher immediately.

## **Designated governor**

### **Designated governor**

The Designated Governor/S for Child Protection at this school are:

Heather May
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The Governors will ensure that the designated member of staff for child protection is given sufficient time to carry out his or her duties, including accessing training.

The Governors will review safeguarding practices in the school on a regular basis, and no less than annually, to ensure that:

- The school is carrying out its duties to safeguard the welfare of children at the school;
- Members of staff and volunteers are aware of current practices in this matter, and that staff receive training where appropriate;
- They attend training Child Protection/Safeguarding training for Governors
- Child protection is integrated with induction procedures for all new members of staff and volunteers
- The school follows the procedures agreed by South Gloucestershire Safeguarding Children Board, and any supplementary guidance issued by the Local Authority

- Only persons suitable to work with children shall be employed in the school, or work here in a voluntary capacity
- Where safeguarding concerns about a member of staff are substantiated, take appropriate disciplinary action or support the process if it is led by the Chair of Governors.

## **Guidelines**

In order to fulfil our commitment to safeguard and promote the welfare of all pupils we will follow the following guidelines:

### **Child Protection**

- The school has an up to date child protection policy which is reviewed annually by the staff and full governing body. The policy is displayed on the staff room notice board.
- The school has a designated person and a deputy designated person for child protection. All staff and governors are aware of who these people are. At time of writing they are: the Headteacher and the Deputy Headteacher.
- The designated person has received appropriate child protection training and undertakes refresher safeguarding training every two years.
- There are nominated governors for Child Protection and Safeguarding who report to the full governing body that all aspects of responsibilities and practice are in place.
- The governor responsible for safeguarding also reports to governors on the results of pupil surveys and conferences.
- All staff and the nominated governors for child protection receive child protection training every three years.
- All staff/volunteers are given a copy of the South Gloucestershire leaflet 'Safeguarding Guidance for Staff Working with Children and Young People' which aims to safeguard and reduce the risk of staff/volunteers being accused of improper or unprofessional conduct. This leaflet is included in the staff and governor induction pack. (See appendix 1)
- All staff and volunteers sign and date a register confirming that they are aware of child protection procedures and have received the above leaflet. (See appendix 4)
- Procedures contained within South Gloucestershire guidance on '*Arrangements for managing allegations of abuse against people who work with children or those who are in a position of trust*' are reviewed annually by governors along with the Safeguarding Policy. (See appendix 3)
- Our school believes in the importance of early identification of issues for children and young people. We fully endorse the principles of multi-agency working and will engage in the CAF (Common Assessment Framework) process or any other required or recommended process for any child in our school for whom we feel this is appropriate.

## **Female genital mutilation (FGM)**

All school staff must be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. If staff members are worried about someone who is at risk of FGM or who has been a victim of FGM, they must share this information with social care or the police.

There are a range of potential indicators that a child may be at risk of FGM. While individually they may not indicate risk, if two or more indicators are present this could signal a risk to the child.

Victims of FGM are most likely to come from communities that are known to adopt this practice. It is important to note that the child may not yet be aware of the practice or that it may be conducted on them, so it is important for staff to be sensitive when approaching the subject.

The following indicators are taken from government guidelines regarding FGM.

### **Indicators that may show a heightened risk of FGM include:**

- The position of the family and their level of integration into UK society.
- Any girl with a mother or sister who has been subjected to FGM.
- Any girl withdrawn from Personal, Social and Health Education (PSHE).

### **Indicators that may show FGM could take place soon**

- The risk of FGM increases when a female family elder is visiting from a country of origin.
- A girl may confide that she is to have a 'special procedure' or a ceremony to 'become a woman'.
- A girl may request help from a teacher if she is aware or suspects that she is at immediate risk.
- A girl, or her family member, may talk about a long holiday to her country of origin or another country where the practice is prevalent.

It is important that staff look for signs that FGM has already taken place so that help can be offered, enquiries can be made to protect others, and criminal investigations can begin.

Indicators that FGM may have already taken place include:

- Difficulty walking, sitting or standing.
- Spending longer than normal in the bathroom or toilet.
- Spending long periods of time away from a classroom during the day with bladder or menstrual problems.
- Prolonged or repeated absences from school followed by withdrawal or depression.
- Reluctance to undergo normal medical examinations.
- Asking for help, but not being explicit about the problem due to embarrassment or fear.

If a member of school staff has a concern, they should activate local safeguarding procedures.

As of October 2015, Section 75 of the Serious Crime Act places a statutory duty upon teachers to report to the police any discovery, whether through disclosure by the victim or visual evidence, of FGM on a girl under 18. Staff failing to report such cases will face disciplinary action.

Staff will not examine pupils, and so it is rare that they will see any visual evidence, but they must report to the police where an act of FGM appears to have been carried out. Unless the

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

## **Child sexual exploitation (CSE)**

CSE involves exploitative situations, contexts and relationships where a child may receive something, such as food, gifts or in some cases simply affection, as a result of engaging in sexual activities.

CSE can take many forms but the perpetrator will always hold some kind of power over the victim. It is important to note that some young people who are being sexually abused do not exhibit any external signs of abuse.

The school has adopted the following procedure for handling cases of CSE, as outlined by the DfE:

### **Step one – Identifying cases**

School staff members are aware of and look for the key indicators of CSE, these are as follows:

- Going missing for periods of time or regularly going home late
- Regularly missing school
- Appearing with unexplained gifts and new possessions
- Associating with other young people involved in exploitation
- Having older boyfriends or girlfriends
- Undergoing mood swings or drastic changes in emotional wellbeing
- Displaying inappropriate sexualised behaviour

### **Step two – Referring cases**

Where CSE, or the risk of it, is suspected, staff will discuss the case with the dedicated member of staff for child protection. If after discussion a concern still remains, local safeguarding procedures will be triggered, including referral to the LA.

### **Step three – Support**

The LA and all other necessary authorities will then handle the matter to conclusion. The school will work with these agencies as needed.

## **Preventing radicalisation.**

School has a dedicated policy for this area.

## **School Security**

- The school gate that allows access to the playground and rear entrances to the school building is locked at 9am and opened at 3.15pm to allow parents access to the parent shelter and waiting areas.
- The front entrance has a security lock allowing easy access out of the building but requires the operation of a swipe pad to enter from the outside. The school administrator is able to control access from the office where visitors are clearly visible. The new build classrooms have key pads.
- Only adults are allowed to admit people via the front door.
- There is a sign on the outside of the building indicating that all visitors are to enter by the front entrance and report to the office.

- All visitors are required to sign in and out, and given a badge / sticker to wear displaying that they are a visitor.

## **E Safety**

The school has an up to date e-safety policy.

We wish to create a school community which values the use of new technologies in enhancing learning, encourages responsible use of ICT, while minimising potential e-safety risks.

We discuss, monitor and review our e-safety policy on a regular basis, linking it with other relevant policies. We support staff in the use of ICT as an essential tool for enhancing learning and in the embedding of e-safety across the whole school curriculum.

We ensure that pupils are aware of the potential e-safety risks associated with the use of ICT and mobile technologies, that pupils feel able and safe to report incidents and abide by the school's e-safety policy.

## **Mobile phones and other devices with the function to take and record images**

*For simplicity all such devices will be referred to as phones, but any such items that can record images is included in this term, including but not limited to, cameras, watches with such functions, gaming devices mp3 player etc.*

### **Staff and other adults on school site.**

- During teaching time, while on playground duty and during meetings, mobile phones will be switched off or put on "silent" or "discreet" mode.
- Except in urgent or exceptional situations, mobile phone use is not permitted during teaching time, while on playground duty and during meetings.
- Staff should not use personal devices for photography in school. Only School cameras or devices are to be used.

### **Parents, carers and other visitors**

*For simplicity shall be referred to as parents in this section.*

- Parents are reminded that they can only take images at designated times and are discouraged from placing images of children other than their own onto any public domain.
- Parents are not permitted to record events that occur on the school site, or when pupils are under school care (such as trips) and are reminded of this before and after such events.
- Staff will ensure that any children who cannot have their images taken are removed from the opportunities to take photographs given to parents (an example will be at the end of a production, such children will be removed from image taking opportunities, and this act will be done sensitively to ensure no embarrassment to the child/ren).

### **Pupils**

- In general, pupils should not bring valuable items to school, as they can be easily lost or stolen, which is often stressful for a primary age child.
- We advise against bringing mobile phones into school, but if they are, they are brought to school entirely at the owner's risk. The school accepts no responsibility for replacing lost, stolen or damaged mobile phones.

- There are no reasons why a pupil needs to have in their possession or use a mobile phone during the school day and if seen on a pupil during the school day, a phone will be confiscated until the end of the day.
- Parents are reminded that in cases of emergency the school office remains a vital and appropriate point of contact and can ensure your child is reached quickly and assisted in any appropriate way.
- Pupils are advised that if in exceptional circumstances they bring a mobile phone onto the school grounds during the school day, the phone should be handed in to the school office. The phone can be collected at the end of the day.
- The phone is stored at the owners risk and school will accept no responsibility for replacing lost, stolen or damaged phones.

## **Safer Recruitment**

Safeguarding is considered at all stages of the recruitment process.

- The school's recruitment procedures are compliant with *Keeping Children Safe in Education*. <https://www.gov.uk/government/publications/keeping-children-safe-in-education>
- The Headteacher who will always be a member of the recruitment panel has undertaken safer recruitment training. The Deputy Headteacher has also undertaken this training. When a governor sits on the panel, every effort will be made to ensure they have undergone this training also.
- Staff will only be appointed *after* a DBS (Disclosure and Barring Service) check is made.
- Relevant safeguarding advice and information is included within the induction arrangements for all staff and volunteers. (See appendix 1)
- The school's single central record of recruitment and vetting procedures (SCR) is kept in one place, is readily available and up to date.
- The nominated governor for safeguarding reports to full governing body that the SCR is in place.
- The SCR contains all the information required in the guidance.
- All governors have signed a declaration of their suitability.
- Volunteers without a DBS disclosure only have supervised contact with children.
- All extended school activities run by external organisations which let the premises, before and after school, are organisations which have policies in place to safeguard children and there are written agreements with these organisations which set out responsibilities for vetting checks, child protection, health and safety and insurance cover. (See appendix 5). The safeguarding report to governors confirms that agreements are in place.

## **Volunteers**

We understand that some people otherwise unsuitable for working with children may use volunteering to gain access to children; for this reason, any volunteers in the school, in whatever capacity, will be given the same consideration as paid staff.

Where a parent or other volunteer helps on a one-off basis, he/she will only work under the direct supervision of a member of staff, and at no time have one to one contact with children. However, if a parent or other volunteer is to be in school regularly or over a longer period then they will be checked to ensure their suitability to work with children.

## **Induction & training**

All new members of staff will receive induction training, which will give an overview of the organisation and ensure they know its purpose, values, services and structure, as well as identifying and reporting abuse, and confidentiality issues.

All new staff at the school (including volunteers) will receive child protection information and a copy of this policy as close to their date of starting work at the school, and school will aim for this to happen prior to their starting.

All staff will be expected to attend training on safeguarding children that will enable them to fulfil their responsibilities in respect of child protection effectively. The school will provide this training through the designated person.

Staff will attend refresher training every three years, and the designated person every two years.

To ensure all relevant knowledge is maintained and all relevant staff are aware, any Child Protection or areas of concern will be recorded on the school provision map using the following key (spaces left for any future additions):

Key to symbols on Provision map.

<p>☒☒</p> <p>Subject of bullying (this or any other school)</p>	<p>☒</p> <p>Subject of racist abuse, harassment or discrimination (this or any other school)</p>	<p>☒</p> <p>Police reports, domestic violence / violence</p>	<p>☒</p> <p>Police reports, other</p>	<p>☒</p> <p>Social work involvement</p>
<p>☒☒</p> <p>Subject of an Enquiry or assessment under Children's Act / under</p>	<p>☒☒</p> <p>FGM</p>	<p>☒</p> <p>Under suspicion of or assessment for involvement in radicalisation or anything that falls under the prevent strategy.</p>	<p>☒</p> <p>School nurse</p>	<p>☒</p>
<p>☒</p>	<p>☒</p> <p>Court order</p>	<p>☒</p> <p>Other</p>	<p>☒</p> <p>SLT intervention for behaviour (HT / DHT / KS Lead)</p>	

Staff will be made aware of any CP / safeguarding or other concerns as part of their induction and hand up.

## **Dealing with concerns**

Members of staff and volunteers are not required by this school or the Law to investigate suspicions; if somebody believes that a child may be suffering, or may be at risk of suffering significant harm, they must always refer such concerns to the designated person, who will refer the matter to the relevant Children's Services as per the law.

To this end, volunteers and staff will follow the procedures below:

- Upon the receipt of any information from a child, or if any person has suspicions that a child may be at risk of harm, or
- If anyone observes injuries that appear to be non-accidental, or

- where a child or young person makes a direct allegation or implies that they have been abused,
- makes an allegation against a member of staff (allegation that the member of staff has harmed a child, committed an offence against a child, or behaved in a way that questions their suitability to work with children),

they must record what they have seen, heard or know accurately at the time the event occurs, and share their concerns with the designated person (or Headteacher if an allegation about a member of staff, or the Chair of Governors if it is made against the Headteacher) and agree action to take. This process is expanded in the child protection policy and procedure document.

We will ensure that all members of staff and employees are familiar with the procedures for keeping a confidential written record of any incidents and with the requirements of South Gloucestershire Safeguarding Children Board.

Where any member of staff fails to report their concerns, this will be dealt with as a disciplinary matter.

## **Confidentiality**

The school, and all members of staff at the school, will ensure that all data about pupils is handled in accordance with the requirements of the law, and any national and local guidance.

Any member of staff who has access to sensitive information about a child or the child's family must take all reasonable steps to ensure that such information is only disclosed to those people who need to know, this will usually only be the Designated Person.

Regardless of the duty of confidentiality, if any member of staff has reason to believe that a child may be suffering harm, or be at risk of harm, their duty is to forward this information without delay to the designated member of staff for child protection.

## **Conduct of staff**

The school has a duty to ensure that professional behaviour applies to relationships between staff and children, and that all members of staff are clear about what constitutes appropriate behaviour and professional boundaries.

At all times, members of staff are required to work in a professional way with children. All staff should be aware of the dangers inherent in:

- working alone with a child
- physical interventions
- cultural and gender stereotyping
- dealing with sensitive information
- giving to and receiving gifts from children and parents
- contacting children through private telephones (including texting), email, any messaging platform, or social networking websites.
- disclosing personal details inappropriately
- meeting pupils outside school hours or school duties.

If any member of staff has reasonable suspicion that a child is suffering harm, and fails to act in accordance with this policy and South Gloucestershire Safeguarding Board procedures, we will view this as misconduct, and take appropriate action.

### **Physical contact & restraint**

Members of staff may have to make physical interventions with children. Members of staff should only do this where it is necessary to protect the child, or another person, from immediate danger. Members of school staff are trained in the use of such techniques. All members of staff have the responsibility to ensure the safety of themselves and other people. Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

- In a school, force is used for two main purposes – to control pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances. (Section 93, Education and Inspections Act 2006.)

As per <https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>  
Use of Reasonable Force in Schools.

### **Allegations against members of staff**

If anyone makes an allegation that any member of staff (including any volunteer or Governor) may have:

- Committed an offence against a child
- Placed a child at risk of significant harm
- Behaved in a way that calls into question their suitability to work with children

the allegation will be dealt with in accordance with national guidance and agreements, as implemented by the Local Authority, South Gloucestershire.

The Headteacher, rather than the designated member of staff will handle such allegations, unless the allegation is against the Headteacher, when the chair of governors will handle the school's response.

The head teacher (or chair of governors or appointed nominee) will gather information about the allegation, and report these without delay to the Local Authority.

The school will follow the procedure as set out by the Local Authority and this is shared with staff via this policy, (See appendix 3 and the following flow chart).

### **Before and after school activities**

Where the Governing Body transfers control of use of school premises to bodies (such as sports clubs) to provide out of school hours activities, we will ensure that these bodies have appropriate safeguarding and child protection policies and procedures, and that there are arrangements in place to link with the school on such matters. Such considerations are made explicit in any contract or service level agreement with the bodies.

### **Contracted services**

Where the Governing Bodies contracts its services to outside providers and these providers will have any access to children, we will ensure that these providers have appropriate safeguarding and child protection policies and procedures, and that there are arrangements in place to link with the school on such matters. Such considerations are made explicit in any contract or service level agreement with the provider.

### **First Aid**

- There is a list of appointed first aiders on the in the staffroom notice board and First Aid room, it has been a decision to have significantly more appointed and pediatric first aiders than is required in law.
- All staff have First Aid training.
- The procedure for reporting accidents in school is taught to all staff members who would be expected to deal with accidents.
- Staff follow guidance in the school's Health & Safety policy.
- First Aid boxes, containing approved materials are available in the First Aid room.
- All minor accidents and treatment are recorded in the accident book in the First Aid room and all accidents, including bumps to the head are reported to parents.
- The school follows its policy for Medical Needs Access to Education Policy when administering medicines.

### **Attendance**

- The school promotes high attendance through its attendance policy and targets.
- The school works closely with the Local Authority Education Welfare officer to monitor attendance and address low attendance or patterns of attendance that are causing concern.
- Pupils arriving or leaving school between registration must be signed in and out by an adult.
- The whereabouts of pupils who are absent without explanation at registration are checked where at all practical within 45 minutes by the school administrator.

### **A child missing from education**

A child going missing from school is a potential indicator of abuse and neglect. Staff will monitor children that go missing from school, particularly on repeat occasions, and report them to the designated safeguarding lead – following normal safeguarding procedures.

In order to ensure accurate data is collected to allow effective safeguarding, the school will inform the LA 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 a reasonable distance of the school.
- 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 we do not reasonably believe they will be returning to the school at the end of that period.
- Have been permanently excluded.
- The school will inform the LA 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.

### **Pupil safety more widely**

- The school promotes road safety through assemblies and focus throughout the year.
- The school endeavours to keep children safe from bullying and discrimination by following its Behaviour, Anti-bullying, and Single Equalities policies. These policies are embedded within the curriculum and promoted through school assemblies and collective worship.
- As a Healthy School the children are taught how to lead healthy lifestyles through diet, exercise, personal hygiene and the relationships and sex education programme.
- The school actively promotes e-safety and acceptable use through its policy and procedures which includes the teaching of e-safety, workshops for parents and rules for acceptable use which are displayed throughout the school.
- The school regularly reviews its policies and procedures relating to school trips.
- The school carries out relevant risk assessment as detailed in the Health & Safety file and saved electronically.
- The Staffing and Resources committee of the governing body and carries out a Health & Safety audit of the school building, grounds and play equipment three times a year.
- The school follows procedures in the Health & Safety Policy relating to fire precautions.
- There is a fire risk assessment in place with a log of maintenance and fire drills.
- Parents/Carers of children joining the school are asked to complete a parent consent form on the use of children's images. Consent is recorded on children's records held centrally in Sims. (see Appendix 5)
- Health and Safety is covered in scope by this policy, but is covered explicitly within the full Health and Safety Policy which is reviewed and monitored by the specific Premises and H&S committee as well as the full governing body.
- Regular externally procured Health and Safety reviews are undertaken and any advice followed up.
- E-safety has its own policy.
- Child protection has its own policy detailing the procedures to be followed and covers in more detail: actions to be taken, disclosure, referrals, allegations against staff, whistleblowing, record keeping, parental involvement, training, the role of the Governing Body and more.

### **Policy and Procedure**

- The governing body is aware of its statutory responsibilities and duties to safeguard and promote the welfare of children. (See appendix 2 and 3).

- Policies relating to safeguarding are reviewed and updated annually which includes a response to developing technologies.
- This policy and related policies are available to parents via the office on request and parents are reminded of this in our newsletters, and the school website.
- Parents are made aware of the availability of policies through the school newsletter, the home/school agreement and the school website.
- The Headteacher ensures that all staff and volunteers are made aware of the policies and procedures relating to safeguarding.
- The governor responsible for safeguarding reports to the governing body on the implementation of these policies and procedures.

## **Monitoring and Evaluation**

The school will review this policy annually and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the school.

This policy should be read in conjunction with the school's Inclusion, Anti-Bullying, Behaviour Management, Single Equalities, Health & Safety, School Trips, E-safety and Acceptable Use, Child Protection, and Home/School Agreement. *The school also refers to South Gloucestershire Guidance on Pastoral Support Programmes as well as specific procedures and policies as explained above.*

Signed ..... Chair of governors Date.....

Signed..... Headteacher Date.....

Appendix 1 – National guidelines or South Glos Leaflet

Appendix 2 – School Governors Responsibilities

Appendix 3 – Arrangements for managing allegations of abuse against people who work with children or those who are in positions of trust.

Appendix 4 – Register of Persons Aware of Child Protection Procedures & Safeguarding Guidance.

Appendix 5 – Safeguarding Agreement with all Organisations Letting the School Premises

## Appendix 1

<http://sites.southglos.gov.uk/safeguarding/children> Local Authority advice.

Further advice from surrounding local Authorities

[www.swcpp.org.uk](http://www.swcpp.org.uk)

## Appendix 2

Governors need to be clear that the following are secure:

- ❖ Child protection policies and procedures are in place and available to parents.
- ❖ The school operates safer recruitment procedures as described above, including checks on qualifications, health and the like where appropriate; at least one member of a recruitment panel should have taken the National College for School Leadership online training.
- ❖ The school has appropriate procedures for handling allegations of abuse against its staff, including if the allegation is against the Headteacher where a nominated member of the governing body will take responsibility.
- ❖ A senior member of the leadership team is designated to lead on child protection issues; this person undertakes inter-agency working and refresher training at least every two years.
- ❖ All other staff who work with children should have refresher training every three years; temporary or volunteer staff should be aware of the school's child protection procedures.
- ❖ Any deficiencies brought to the governing body's attention must be dealt with.
- ❖ Safeguarding and Child protection policies are reviewed annually.



**South Gloucestershire Safeguarding Children Board**

**ARRANGEMENTS FOR MANAGING  
ALLEGATIONS OF ABUSE AGAINST  
PEOPLE WHO WORK WITH CHILDREN OR  
THOSE WHO ARE IN POSITIONS OF  
TRUST**

**For the attention of:**

**Head teachers  
Governing bodies of schools  
Principals of Further Education institutions  
Governing bodies of further education institutions  
Managers of Locality Hubs/Sure-Start Centres  
The Secure Estate  
South Gloucestershire Council  
Health services  
Police  
CAFCASS  
Probation  
Sports organisations  
Community, Voluntary and Faith organisations**

## CONTENTS

	<b>Page</b>
<b>1 Summary</b>	<b>1</b>
<b>2 Introduction and Scope</b>	<b>1</b>
<b>3 Supporting Those Involved</b>	<b>2</b>
<b>4 Confidentiality</b>	<b>3</b>
<b>5 Resignations and Compromise Agreements</b>	<b>3</b>
<b>6 Record Keeping</b>	<b>4</b>
<b>7 Timescales</b>	<b>4</b>
<b>8 Oversight and Management</b>	<b>5</b>
<b>9 Local Authority Designated Officers</b>	<b>5</b>
<b>10 Initial Considerations</b>	<b>6</b>
<b>11 Action Following Initial Consideration</b>	<b>7</b>
<b>12 Suspension</b>	<b>8</b>
<b>13 Monitoring Progress</b>	<b>9</b>
<b>14 Information Sharing</b>	<b>9</b>
<b>15 Case Subject to a Police Investigation</b>	<b>9</b>
<b>16 Action Following a Criminal Investigation or a Prosecution</b>	<b>10</b>
<b>17 Action on Conclusion of a Case</b>	<b>10</b>
<b>18 Learning the Lessons</b>	<b>11</b>
<b>19 Action in Respect of Unfounded Allegations</b>	<b>11</b>
<b>Summary of Process</b>	<b>12</b>
<b>Flowchart</b>	<b>14</b>
<b>Contact Details</b>	<b>15</b>

# Arrangements For Managing Allegations Against People Who Work With Children Or Those Who Are In A Position Of Trust

## 1. Summary

- 1.1 It is essential that any allegation of abuse made against a person who works with children and young people including those who work in a voluntary capacity are 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. The framework for managing allegations is set out in *Working Together to Safeguard Children [WT] Appendix 5: A guide to inter-agency working to safeguard and promote the welfare of children 2006*, and *Safeguarding Children and Safer Recruitment in Education 2007*.
- 1.2 This procedure explains how the process should be applied in all settings and work places where employees, volunteers and regular visitors work with children or who are in a position of trust.

## 2. Introduction and Scope

- 2.1 The framework for managing cases set out in this procedure applies to a wider range of allegations than those in which there is reasonable cause to suspect a child is suffering, or likely to suffer, significant harm. It also caters for cases of allegations that might indicate that the alleged perpetrator is unsuitable to continue to work with children in their present position, or in any capacity. This may be due to concerns about the persons conduct in their personal or professional life that might indicate their unsuitability to work with children. It should be used in respect of all allegations that are consistent with the guidance in WT Appendix 5 ie cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against, or related to, a child; or
- behaved in a way that indicates s/he is unsuitable to work with children.

- 2.2 All organisations and places of employment should have procedures for dealing with allegations, and all staff and volunteers should understand what to do if they receive an allegation against or have concerns regarding the behaviour of another member of staff, volunteer or visitor. This information must be explicit in service procedures and made available to all members of staff, regular visitors volunteers and service users.

All procedures should make clear that all allegations should be reported within **one working day** to the senior manager or employer for the organisation with operational responsibility for dealing with allegations.

All procedures should also include the contact details for the LA Designated Officer(s) responsible for providing advice and monitoring cases. A list of these can be found in the back of this document.

2.4 There may be three strands in the consideration of an allegation:

- a police investigation of a possible criminal offence
- enquiries and assessment by children's social care about whether a child is in need of protection or in need of services
- consideration by an employer of disciplinary action in respect of the individual

NB the term employer is used throughout this policy to refer to settings and organisations that have a working relationship with the individual against whom the allegation has been made. This includes organisations that use the services of volunteers or people who are self employed, as well as service providers, voluntary organisations, employment agencies or business, contractors, fostering services, regulatory bodies, and others that may not have a direct employment relationship with the individual but will need to consider whether to continue to use the persons services, to provide the person for work with children in the future, or to de register the individual.

### **3. Supporting Those Involved**

3.1 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 about it. How this is done and by whom will be decided with the LA Designated Officer during the initial discussion. See section 9 for further detail.

They 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. Note that the deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers should be told the outcome. In deciding what information to disclose, careful consideration should be given to duties under the Data Protection Act 1998, the Law of confidence and, where relevant the Human Rights Act 1998.

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

3.3 The senior manager or employer for the organisation should also keep the person who is subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. The individual's union or professional body, occupational health services or any other employee welfare arrangements, may provide this support. In any case, if the individual is a member of a trade union, they should be advised to make contact with their trade union at the outset of the investigation.

If the person has been suspended, the senior manager or employer for the organisation should also keep the individual informed of developments.

#### **4. Confidentiality**

- 4.1 very effort should be made to maintain confidentiality and guard against unwanted publicity whilst an allegation is being considered or investigated. In association with the, Association of Chief Police Officers 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 matters where the police may depart from that rule, for example an appeal to trace a suspect the reasons should be documented and partner agencies consulted beforehand). The system of self- regulation, overseen by the Press Complaints Commission, also provides safeguards against the publication of inaccurate or misleading information.

#### **5. Resignations and Compromise Agreements**

- 5.1 The fact that a person tenders their resignation, or cease to provide services, must not prevent an allegation being followed up in accordance with this procedure. It is important that every effort is made to reach a conclusion in all cases of allegation that have a bearing on the safety or welfare of children. This includes any allegation whereby the individual refuses to co-operate with the process.
- 5.2 Wherever possible, the person should be given a full opportunity to answer the allegation and make representations about it. The process of recording the allegation and any supporting evidence and reaching a judgement about whether it can be regarded as substantiated on the basis of all the information available should continue even if the person does not co-operate. It may be difficult to reach a conclusion in those circumstances.
- 5.3 Disciplinary procedures and subsequent sanctions may not be possible if a person's notice period expires prior to the end of the investigation, but it is important that a conclusion is reached and recorded wherever possible.
- 5.4 Compromise agreements, by which the person agrees to resign from the organisation by mutual agreement in order to avoid disciplinary action, must not be used in situations where the individual is subject to investigation under child protection procedures. There must not be any agreement by which the employer agrees to the content of a future reference. In any event, any agreements, which are reached will not prevent a thorough police investigation, where that course of action is appropriate, nor will it override the statutory duty to make a referral to Protection of Children Act List and DfES List 99 as existing, and the Vetting and Barring Boards in due course

## **6. Record Keeping**

- 6.1 It is important that senior managers and employers keep a clear and comprehensive summary of any allegations made, details of how and who followed the allegation up and any resolution and conclusion. The record should include details of any action taken and all decisions reached.
- 6.2 These notes must be kept on the persons confidential personnel file with a copy given to the person concerned.
- 6.3 The purpose of the record is to ensure accurate information can be given in response to any future response for a reference if the person moves on. It will be used to provide clarification in cases where a future DBS disclosure reveals information from the police about an allegation that did not result in a criminal conviction.
- 6.4 It will be used to ensure unnecessary re- investigation is prevented if an allegation re-surfaces after a period of time.
- 6.5 The record should be retained at least until the person attains normal retirement age or for a period of 10 years from the date of the allegation if that is longer. This includes people who leave the organisation.
- 6.6 A record should also be placed on the child's file.
- 6.7 A central record of allegations made that progress to a strategy meeting will be maintained by the Safeguarding Board Business Manager on behalf of partner organisations of South Gloucestershire Safeguarding Children Board (SGSCB). Support will be provided to colleagues from the Safeguarding Board Business Manager pending any review of these procedures.
- 6.8 LA Designated Officers will retain a record of all advice and guidance given relating to allegations against any member of staff or volunteer which do not fulfil the criteria for a strategy discussion. Notes of all strategy discussions and outcomes will be maintained centrally.
- 6.9 The central LA Designated Officer/Safeguarding Board Business Manager will maintain and monitor all allegations and report regularly to the SGSCB.

## **7. Timescales**

- 7.1 It is in everyone's best interests to resolve cases as quickly as possible, consistent with a fair and thorough investigation. Every effort should be made to manage cases to avoid any unnecessary delay. Timescales are shown for different actions [paragraphs 11 and 15 below]. Although these are not performance indicators and it is accepted that the time taken to investigate and resolve individual cases depends on a variety of factors, including the nature, seriousness and complexity of the allegations, but they provide useful targets to aim for that are achievable in most cases.

- 7.2 *Working Together to Safeguard Children* states that it is reasonable to expect that **80%** of cases should be resolved within **one month** and that **90%** of cases within **three months**, and **all** but the most exceptional cases should be completed **within twelve months**.

South Gloucestershire Safeguarding Children Board is committed to ensuring all allegations are managed efficiently and effectively and will use available data to monitor the timescales adhered to in all allegations.

## **8. Oversight and Management**

- 8.1 South Gloucestershire Safeguarding Children Board member Agency/Organisations, Avon and Somerset Constabulary, maintained, and voluntary aided schools, independent schools and further education establishments should have a senior manager within the organisation to whom allegations or concerns that a member of staff, volunteer or visitor may have abused a child should be reported. All procedures should make sure that all staff and volunteers know whom the person is. Procedures should also include a named alternative person in the absence of the senior manager, or in cases where that person is the subject of the allegation or concern.
- 8.2 Allegations against education staff will be passed to one of the LA Designated Officers who are responsibility for having oversight of the procedures and dealing with allegations, resolving any interagency issues, and for liaison with South Gloucestershire Safeguarding Children Board on the subject.
- 8.3 All partner organisations should also appoint a **Named Senior Officer** who will have a strategic role for representing their organisation regarding allegations.

## **9. Local Authority Designated Officers**

- 9.1 LA Authority Designated Officers are involved in the management and oversight of individual cases. They provide advice and guidance to all of the above agencies and services, in addition to liaising with the police and other agencies, and monitoring the progress of the case to ensure that all matters are dealt with as quickly as possible, consistent with a thorough and fair process. All Agencies/Organisations and schools should refer directly to the Safeguarding Board Business Manager.
- 9.2 Avon and Somerset Constabulary will also identify officers to fulfil a similar role. This will be a senior officer who has strategic oversight of the arrangements to ensure compliance. There will also be an officer responsible for liaising with the LA Designated Officer, taking part in strategy discussions, initial evaluation and subsequently reviewing the progress of the cases in which there has been a police investigation. On the completion of The investigation or following a prosecution the officer responsible for liaising with the LA Designated Officer will share the Information collated throughout the process of investigation.

## 10. Initial Considerations

- 10.1 Procedures need to be applied with common sense and judgement. Some allegations are so serious as to require immediate referral to social care and the police for investigation. Others are much less serious, and at first sight may not seem to warrant consideration of a police investigation or enquiries by Children's Social Care. However, it is important to ensure that even apparently less serious allegations are seen to be followed up, and that they are examined objectively by someone independent of the organisation concerned. Consequently, the LA Designated Officer should be informed of all allegations that come to the senior manager's attention and appear to meet the criteria in paragraph 2.1 so that he can consult police and social care colleagues as appropriate. The LA Designated Officer should also be informed of any allegations that are made directly to the police [which should be communicated via the police force's designated officer] or to children's social care.
- 10.2 The LA Designated Officer should first establish, in discussion with the employer, that the allegation is within the scope of these procedures [see paragraph 2.1] and may have some foundation. If the parents/carers of the child concerned are not already aware of the allegation, the LA Designated Officer will also discuss how and by whom they should be informed. In circumstances a senior manager may need to advise parents of an incident involving their child straight away – eg if the child has been injured while in the organisation's care and requires medical treatment.
- 10.3 The senior manager should inform the accused person about the allegation as soon as possible after consulting the LA Designated Officer. However, where a strategy discussion is needed, or it is clear that police or children's social care may need to be involved, that should not be done until those agencies have been consulted and have agreed what information can be disclosed to the person. If the person is a member of a union or professional association, s/he should be advised to seek support from that organisation.
- 10.4 If there is cause to suspect a child is suffering, or is likely to suffer, significant harm, a strategy discussion should be convened. **Note:** in these cases the strategy discussion should include a representation of the organisation [unless there are good reasons not to do that] and should take account of any information the senior manager can provide about the circumstances or context of the allegation.
- 10.5 In cases where a formal strategy discussion is not considered appropriate – because the threshold of 'significant harm' is not reached – but a police investigation might be needed, the LA Designated Officer should nevertheless conduct a similar discussion with the police, the employer, and any other agencies involved with the child to evaluate the allegation and decide how it should be dealt with. [**Note:** the police must be consulted about any case in which a criminal offence may have been committed.] The initial evaluation may not need to be a face-to-face meeting. It should share available

information about the allegation, the child and the person against whom the allegation has been made, consider whether a police investigation is needed and, if so, agree the timing and conduct of that. In cases where a police investigation is necessary, the joint evaluation should also consider whether there are matters that can be taken forward in a disciplinary process in parallel with the criminal process, or whether any disciplinary action needs to wait for completion of the police enquiries and/or prosecution.

- 10.6 If the complaint or allegation is such that it is clear that investigations by police and/or enquiries by social care are not necessary, or the strategy discussion or initial evaluation decides that this is the case, the LA Designated Officer should discuss next steps with the senior manager. In such circumstances, options open to the senior manager range from taking no further action, to summary dismissal or a decision not to use the person's services in future. The nature and circumstances of the allegation and the evidence and information available determine which of the range of possible options is most appropriate.
- 10.7 In some cases, further investigation is needed to enable a decision about how to proceed. If so, the LA Designated Officer should discuss with the person's employer how and by whom the investigation will be undertaken. The investigation should normally be undertaken by the employer. However, in some circumstances appropriate resources may not be available in the employer's organisation, or the nature and complexity of the allegation might point to the employer commissioning an independent investigation.
- 10.8 Decisions relating to the continuing use of an employee, volunteer or visitor's services will be reliant on the outcome of investigations and subsequent information. The investigation, for this purpose, will be undertaken by the employer or senior manager of the organisation. In an education establishment, the LA Designated Officer will discuss with the Head Teacher, and where required, the Chair of the Governing Body or Corporation how the investigation should be carried out, by whom and to time.

## **11. Action Following Initial Consideration**

- 11.1 Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the employer to deal with it. In such matters if the nature of the allegation does not require formal disciplinary action, the employer, senior manager or organisation 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**.
- 11.2 Where further investigation is required to inform consideration of disciplinary action, the employer or senior manager of the organisation should discuss who will undertake this task with the LA Designated Officer. In some settings and circumstances it may be appropriate for the disciplinary investigation to be conducted by someone who is independent of the place of employment or setting. In any case the investigating officer will aim to report

to the employer or senior manager of the organisation within **10 working days**.

- 11.3 On receipt of the investigation findings, the employer, or senior manager of the organisation should consult with the LA Designated Officer to decide whether a disciplinary hearing is needed **within two working days**. If a hearing is required it should be held **within 15 working days**.
- 11.4 In any case where children's social care has undertaken enquiries to determine whether the child or children are in need of protection, the employer or senior manager of the organisation should take into account any relevant information obtained through the course of the investigation when considering any disciplinary action.
- 11.5 The LA Designated Officer will continue to liaise with the employer or senior manager to monitor progress of the case and provide advice and support when required or requested.

## **12. Suspension**

- 12.1 The possible risk of harm to children posed by an accused person needs to be managed and evaluated. The evaluation will be in respect of the child/ren involved in the allegation and any other children in the individuals home, work or community life. In some cases it will require consideration to be given to the use of suspension for the person involved in the allegation. This may be until the matter is resolved.
- 12.2 Suspension will be considered in any matter where there is cause to suspect that a child is at risk of significant harm, or the allegation warrants a police investigation. Suspension will also be considered if the allegation is of such a serious nature that the behaviour might be grounds for dismissal.
- 12.3 An employee, volunteer or visitor must not be automatically suspended without careful thought and consideration of the circumstances of the allegation. In making the decision, the senior manager for the organisation must consider whether the person should be suspended from contact with children for the duration of the investigation, or until resolution has been reached. In any case, alternatives to suspension should be explored and advice sought from the LA Designated Officer. If the allegation has been referred and a strategy meeting is to be convened, it will be a task of the strategy meeting to consider the facts of the allegation, and although a senior manager of the organisation cannot be directed to suspend, they will be supported in making the decision. For staff, volunteers and visitors to education settings, this responsibility is vested within the responsibility of the Head Teacher and Governing Body. This should be done after the views of the designated senior named officer from the police and Area Safeguarding Board Business Manager have been canvassed.

## **13. Monitoring Progress**

- 13.1 The LA Designated Officer will regularly monitor the progress of the case. This will be done by convening review strategy meetings or by liaising directly with the senior named officer from the police, the employer, or senior manager of the organisation. The reviews will be conducted at a minimum of monthly intervals, but may need to be more frequent. This depends on the complexity of the case. All review information must be accurately recorded.
- 13.2 If the matter is of sufficient seriousness and a strategy meeting decides that the criteria for a police enquiry has been met, the police will also set a target review date to ascertain the progress of the police investigation. This may include consultation with the Crown Prosecution Service about whether to charge the person, continue the investigation, or take no further action. The target should be no more than **4 weeks** after the initial evaluation. If the investigation continues beyond this time, review dates should be set at **monthly** intervals.

#### **14. Information Sharing**

- 14.1 In a strategy discussion or initial evaluation of the case all agencies concerned will share all relevant information they have about the person who is subject to the allegation and the alleged victim who made the allegation.
- 14.2 If the strategy meeting indicates that the individual will need to be interviewed by the police, the police will endeavour to obtain consent from the individuals concerned to share the statements with the organisation and regulatory bodies for disciplinary purposes.
- 14.3 Wherever possible this will be done as the investigation proceeds rather than at the conclusion of their case or any court case.

In addition to the above, if the strategy meeting indicates that the child may be in need of protective services, children's social care will adopt a similar procedure to the police when seeking consent to share information for the purposes of potential disciplinary action.

#### **15. Case Subject To A Police Investigation**

- 15.1 If a criminal investigation is required, the police will aim to complete their enquiries as quickly as possible, consistent with a fair and thorough investigation, they will also monitor the progress of the case.
- 15.2 At the outset the police will set a review date to establish what progress has been made, this includes consultation with the Crown Prosecution Service about whether to proceed with the investigation, charge the individual or close the case. Wherever possible the review will **be within one month** of the initial meeting. If it is decided to continue to investigate the allegation dates for subsequent reviews will be set at this point.

## 16. Action Following a Criminal Investigation or a Prosecution

- 16.1 The Police or Crown Prosecution Service should inform the employer, or senior manager of the organisation and LA Designated Officer straightaway when a criminal investigation and any subsequent trial has been completed or a decision has been reached to close an investigation without charge or further action, or not prosecute following charges being made.
- 16.2 In those circumstances the LA Designated Officer will discuss with the employer or senior manager of the organisation whether any further action, including disciplinary action is appropriate, and if so how to proceed. If the matter is within an educational establishment this discussion should also include the chair of the governing body or corporation. Any information disclosed by the police and children's social care will be used during these discussions to inform the decision making. The Police and Children's Social Care will wherever possible aim to pass relevant information for use in a disciplinary hearing within three days of a decision being made.
- 16.3 The options will depend on the circumstances and the consideration will take into account the result of the police investigation and any subsequent trial. However due regard must be paid to the standard of proof required in disciplinary and criminal proceedings.

If a person is convicted of an offence the police will inform the employer immediately.

## 17. Action on Conclusion of a Case

- 17.1 If the allegation is substantiated and the person is dismissed or the local authority or employer ceases to continue with the persons services, or the person resigns or ceases to provide their services, the LA Designated Officer should discuss with the senior manager of the organisation and its personnel adviser whether the person for whom the allegation has been made should be referred to the DfES for consideration of List 99 action or to the Protection of Children Act List. If a referral is appropriate it should be made **within 1 month**. If the individual is subject to registration or regulation by a professional body or regulator the LA Designated Officer should advise on whether a referral to the appropriate body is required and the form and content of the referral.

**NB** a professional body or regulator could be the General Teaching Council, the General Social Care Council, the General Medical Council, OFSTED.

- 17.2 If the person has been suspended and on conclusion of the case it is decided the person can return to work, the work place, setting or educational establishment should consider how to facilitate this. It is likely that the person returning to work will require support for this to be successful. Depending on the circumstances a phased return may be appropriate and the provision of a mentor should the returning employee request this support. The senior

manager of the organisation should also consider how the persons contact with children or the child involved in the allegation should be managed.

## **18. Learning the Lessons**

- 18.1 At the conclusion of a case in which an allegation is substantiated the LA Designated Officer should review the circumstances with the senior manager of the organisation. If it is an allegation against a member of education staff the review should include the Chair of the Governing Body or Corporation as well as the Head Teacher. The purpose of the review is to determine whether there are any improvements to be made to the employer, setting or educational establishments procedures or practice to help prevent similar events in the future.

## **19. Action in Respect of Unfounded Allegations**

- 19.1 If an allegation is found to be unfounded, the LA Designated Officer should inform Children's Social Care to establish whether the child in who has made the allegation is in need of protective services. Children's social care will need to establish whether the child may have been abused by someone else.
- 19.2 In the rare event that an allegation is shown to have been deliberately invented, the police can be asked to consider whether any action might be appropriate against the person responsible.
- 19.3 In the case of schools and education settings, the Head Teacher or Principal of a school, college or setting may also consider whether any disciplinary action against the child who made the allegation is appropriate.

## Summary of Process

### Allegation made to employer

The allegation should be reported to the senior manager identified in the employer's procedure immediately, unless that person is the subject of the allegation, in which case it should be reported to the designated alternative.

If the allegation meets any of the criteria set out in paragraphs 2.1 and 2.3, the employer should report it to the LA Designated Officer within **one working day**.

### Allegation made to the police or children's social care

If an allegation is made to the police, the officer who receives it should report it to the force's designated senior named officer without delay, and the designated senior named officer should, in turn, inform the LA Designated Officer straightaway. Similarly, if the allegation is made to children's social care, the person who receives it should report it to the LA Designated Officer without delay.

### Initial consideration

The LA Designated Officer will discuss the matter with the employer or senior manager of the organisation and, where necessary, obtain further details of the allegation and the circumstances in which it was made. The discussion should also consider whether there is evidence/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 LA Designated Officer should immediately inform the police and convene a similar discussion to decide whether a police investigation is needed. That discussion should also involve the employer.

### Action following initial consideration

Where the initial evaluation decides that the allegation does not involve a possible criminal offence, it is dealt with by the employer. In such cases, if the nature of the allegation does not require formal disciplinary action, appropriate action should be instituted **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 employer should discuss who will undertake that with the LA Designated Officer. In some settings and circumstances, it may be appropriate for the disciplinary investigation to be conducted by a person who is independent of the employer or the person's line management to ensure objectivity. In any case, 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 employer should decide whether a disciplinary hearing is needed **within two working days**, and 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 employer should take account of any relevant information obtained in the course of those enquiries when considering disciplinary action.

The LA Designated Officer should continue to liaise with the employer to monitor progress of the case and provide advice/support when required or requested.

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

If a criminal investigation is required, the police will aim to complete their enquiries as quickly as possible, consistent with a fair and thorough investigation, and will keep the progress of the case under review. They should, at the outset, set a target date for reviewing progress of the investigation and consulting the CPS about whether to proceed with the investigation, charge the individual with an offence, or close the case. Wherever possible that review should take place **no later than four weeks** after the initial evaluation, and if the decision is to continue to investigate the allegation, dates for subsequent reviews should be set at that point. [It is open to the police to consult the CPS about the evidence that will need to be obtained in order to charge a person with an offence at any stage].

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 pass all information they have which may be relevant to a disciplinary case to the employer without delay.

If the person is convicted of an offence, the police should also inform the employer straightaway so that appropriate action can be taken.

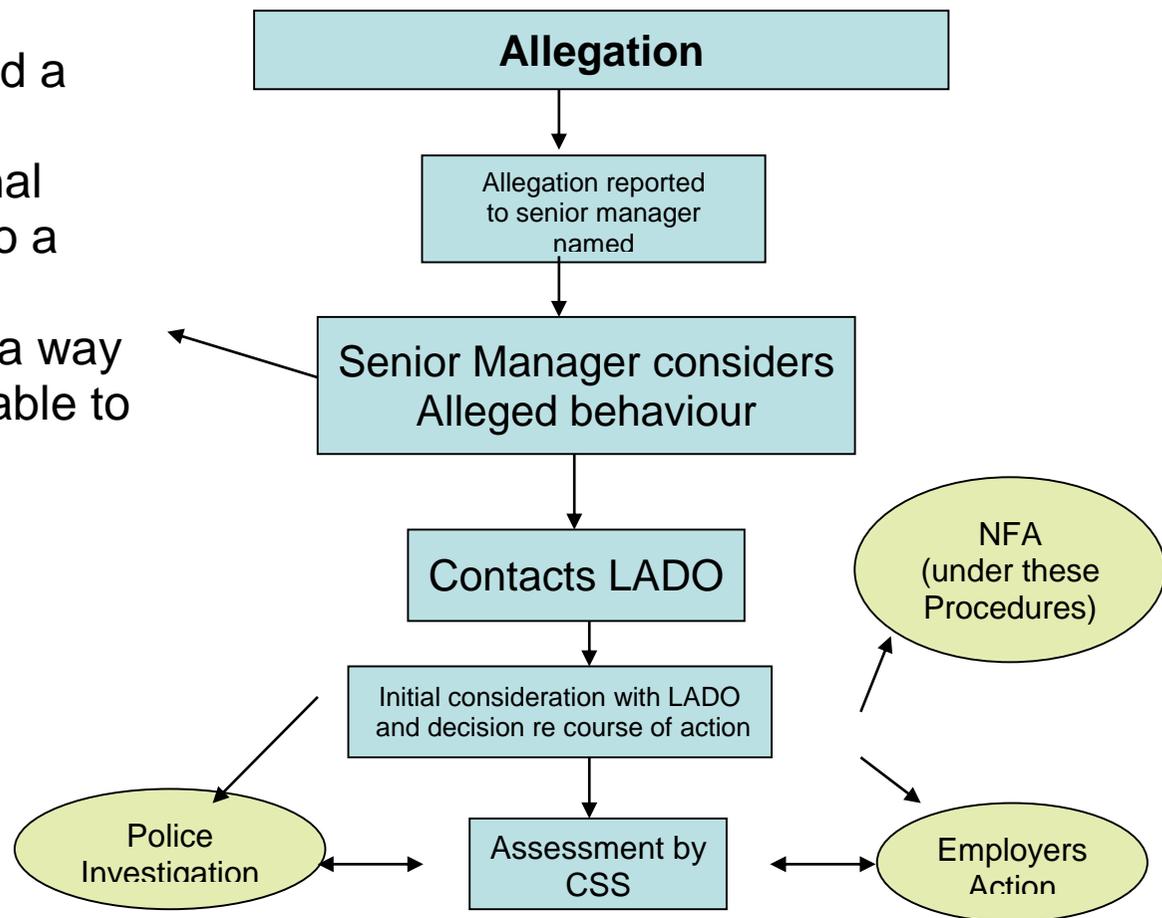
### **Referral to PoCA, List 99 or regulatory body (Vetting & Barring Board)**

If the allegation is substantiated, and on conclusion of the case the employer dismisses the person or ceases to use the person's services, or the person ceases to provide his/her services, the employer should consult the LA Designated Officer about whether a referral to the POCA List and/or to a professional or regulatory body is required. If a referral is appropriate, the report should be made **within one month**.



## Allegations Against Those Who Work With C&YP Summary Flowchart

- Behaved in a way that has harmed or may have harmed a child;
- Possibly committed a criminal offence against or related to a child,
- Behaved towards a child in a way that indicates s/he is unsuitable to work with children





**St Chad's Patchway CE VC Primary School**

**Safeguarding Agreement with all Organisations**

**Letting the School Premises**

*“Learning to love, loving to learn.”*

As part of the school’s duty to promote and safeguard the welfare of children, the school requires that organisations letting the school premises for activities that involve children, have the following policies and procedures in place:

- Your organisation’s recruitment procedures are compliant with *Keeping Children Safe in Education*. <https://www.gov.uk/government/publications/keeping-children-safe-in-education>
- Your organisation has an up to date record of recruitment and vetting procedures for employed staff.
- Adequate health and safety policies with which the staff are familiar, that ensure the safety of children and staff.
- Child Protection Policies with which the staff are familiar
- Insurance to cover personal injury, damage, theft or loss. Hirers must have Public Liability insurance of at least £5m, in order to be adequately covered whilst using the School premises.

By signing this agreement ..... (name of organisation) agrees that all the above policies and procedures are in place for safeguarding.

Signed: .....

Date: