

CHILD PROTECTION POLICY



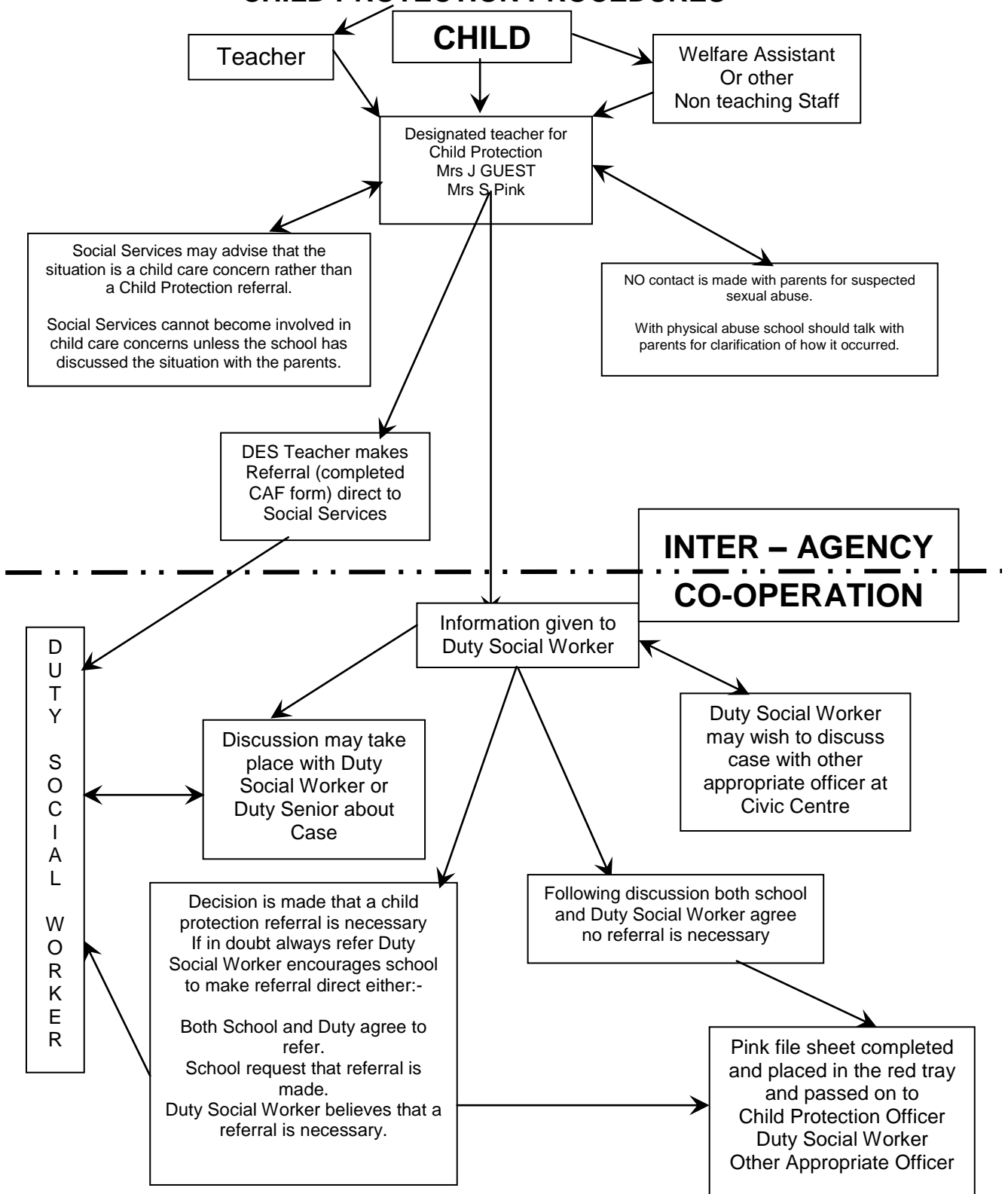
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CHILD PROTECTION POLICY

CHILD PROTECTION POLICY

**EDUCATION WELFARE SERVICE
CHILD PROTECTION PROCEDURES**



CHILD PROTECTION POLICY



HAYDON SCHOOL
CHILD PROTECTION POLICY
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The purpose of the policy is to ensure that child protection concerns and referrals are handled sensitively, professionally and in ways that support the needs of the children.

**The Designated Person for Child Protection - Mrs Guest
The Named Governor: Mr M Heduan**

1. Introduction

The governors and staff of Haydon School fully recognise the contribution it makes to safeguarding children. We recognise that all staff have a full and active part to play in protecting our students from harm.

All Staff and Governors believe that our school should provide a caring, positive, safe and stimulating environment which promotes the social, physical and moral development of the individual child.

This policy has been written alongside the All London Child Protection Procedures

1.1 The aims of the policy are:

- To support each child's development in ways that will foster security, confidence and independence
- To raise awareness of both teaching and non-teaching staff of the need to safeguard children and their responsibilities in identifying and reporting possible cases of abuse.
- To provide a systematic means of monitoring children known or thought to be at risk of harm.
- To emphasise the need for good levels of communication between all members of staff.
- To develop a structured procedure within the school which will be followed by all members of the school community in cases of suspected abuse.
- To develop and promote effective working relationships with other agencies especially Social Services and the Police.
- To ensure that all adults within our school who have access to children have been checked as to their suitability.

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2. Procedures

Our school procedures for safeguarding children will be in line with the London Child Protection Procedures. We will ensure that:

- We have a designated member of staff who undertakes regular training.
- At Haydon School with the agreement of the LBH Child Protection Officer the work is undertaken with the assistance of a second named person for Child Protection.
- All members of staff develop their understanding of signs and indicators of abuse.
- All members of staff know how to respond to a pupil who discloses abuse.
- All parents/carers are made aware of the responsibilities of staff members with regard to child protection procedures.
- Our procedures will be regularly reviewed and up-dated
- All new members of staff will be given Child Protection training and they will be given a copy of our child protection procedures as part of their induction into the school.

3. Responsibilities

3.1 All Staff

- Are accountable for the way they exercise authority, manage risk, use resources and protect students from discrimination and unavoidable harm
- Must be aware of their duty to safeguard children and to protect them from physical and emotional harm
- Refer all concerns/incidences reported to them to the designated teacher
- Must be aware that they cannot promise a child to keep a secret
- Have a professional responsibility to share information with other agencies in order to safeguard children.

3.2 Designated Teacher

The role of the Designated Teacher is to:

- Recognise the signs of abuse
- Know the Child Protections procedures
- Be able to refer to the appropriate agencies
- Attend up to date Child Protection training
- Give priority to preparation for Child Protection Case Conferences and Core Group meetings
- Support colleagues who may be attending Case Conferences, and assist in writing reports
- Ensure information about children on the Child Protection register is handled appropriately
- Ensure that all staff receive training in basic child protection
- All records are kept confidentially and securely and are separate from pupil records

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- Ensure information about children on the Child Protection Register is passed on to the receiving school, if a child moves.

3.3 Headteacher

The Headteacher is responsible for ensuring the following

- There are Child Protection, Anti-bullying and Restraint Policies within the school
- Consult with the LEA Lead Officer about any allegation regarding a staff member.
- Speak to parents when necessary

3.4 Governors

Governors need to take responsibility to ensure that:

- The school has a Child Protection Policy
- They know what to do if an allegation of abuse is made against the Headteacher
- Be aware and take the appropriate advice about conducting a Disciplinary Hearing, if an allegation is made against a member of staff, that results in the need for a Hearing

4. Supporting Children

- We recognise that a child who is abused or witnesses violence may find it difficult to develop and maintain a sense of self worth. We recognise that a child in these circumstances may feel helpless and humiliated. We recognise that a child may feel self blame.
- We recognise that the school may provide the only stability in the lives of the children who have been abused or who are at risk of harm
- We recognise that such children might exhibit challenging and defiant behaviour and will take careful note of the context of such behaviour
- We recognise that some children who have experienced abuse may in turn abuse others
- We also recognise that, in the home environment where there is domestic violence, drug or alcohol abuse, children may also be vulnerable and in need of support and protection.

Haydon School will endeavour to support all its students through:

1. The curriculum, to encourage self esteem and self motivation
2. The school ethos, which promotes a positive, supportive and secure environment and which gives all students and adults a sense of been respected and valued.
3. A coherent management of behaviour
4. A consistent approach which recognises and separates the cause of behaviour from that which the child displays
5. Liaison with other professionals and agencies who support children and parents

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6. A commitment to develop productive support relationships with parents whenever it is in the child's interest to do so
7. The development and support of responsive and knowledgeable staff group whose role it is to respond appropriately in child protection situations
8. Providing continuing support to a student about whom there have been concerns who leaves the school by ensuring that the appropriate information is forwarded under confidential cover to the student's new school.

5. Confidentiality

- We recognise that all matters relating to Child Protection are confidential
- The Headteacher or Designated Teacher will disclose any information about a student on a need to know basis only
- All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children
- All staff must be aware that they cannot promise a child to keep a secret

6. Supporting Staff

- We recognise that staff working in the school who have become involved with a child who has suffered harm, or appears to be likely to suffer harm may find the situation stressful and upsetting
- We will support such staff by providing an opportunity to talk through their anxieties with the designated teacher and to seek support as appropriate.

7. Allegations Against a Member of Staff

- Please see Appendix for the full procedures

8. Whistleblowing

- We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so
- All staff should be aware of their duty to raise concerns, where they exist, about the attitude of actions of colleagues

9. Physical Intervention

- Our full guidance on physical intervention is given in a separate policy: Care and Control Policy.

10. Bullying

- Our policy against bullying is set out in a separate policy. It is acknowledged that to allow or condone bullying may lead to consideration under child protection procedures.

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11. Racist Incidents

- Our policy on racist incidents is set out in a separate policy: Race Equality Policy. It is acknowledged that repeated racist incidents or a single serious incident may lead to consideration under child protection procedures.

12. Prevention

Haydon school recognises that the school plays a significant part in the prevention of harm to our students by providing students with good lines of communication with trusted adults, supported friends and an ethos of protection. The school community will therefore:

- Establish and maintain an ethos where students feel secure and are encouraged to talk and are always listened to
- Ensure that all students know there is an adult in the school whom they can approach if they are worried or in difficulty
- Include in the curriculum opportunities for PSHE/Citizenship which equip students with the skills they need to stay safe from harm and to know who they should turn to for help.

13. Health & Safety

- Our Health & Safety Policy, set out in a separate document, reflects the consideration we give to the protection of our students within the school environment
- Our Trips Policy gives clear guidance for when the children are undertaking school trips or visits within this country and abroad.

14.E – Safety and Acceptable Use

- Our ICT Policy in a separate document gives clear guidance on the use of ICT: ICT Policy P4 – P6.

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OVERVIEW AND GOOD PRACTICE**1. Understanding the Basics**

Children trust and depend on adults to protect and safeguard them from harm. It is therefore our responsibility as adults who come into contact with children on a daily basis to report any suspicions or evidence of abuse which may have occurred or is occurring to a young person whether it is outside or inside the school.

2. Our Role

- To keep our eyes and ears open
- To report
- To be excellent role models

2.1 NB Identifying and investigating actual child abuse is the responsibility of child protection agencies.

2.2 It is important that all staff familiarise themselves with the definitions of child abuse that are given on the following page.

2.3 It must be remembered that:

- Children can suffer from one or a combination of these forms of abuse
- Abuse can take place at home, at school or anywhere where children spend time
- It can happen to children and young people of any age, sex, ethnicity, sexual orientation or disability
- In almost all cases the abuser is someone known (and often trusted) by the child such as a parent, carer, teacher, relative or friend.

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DEFINITIONS OF CHILD ABUSE**1. Child**

The London Child Protection Procedures apply to all children and young people under the age of 18 years.

2. Definitions

- 2.1 Child abuse and neglect' is a generic term encompassing all ill treatment of children including serious physical and sexual assaults as well as cases where the standard of care does not adequately support the child's health or development.
- 2.2 Children may be abused or neglected through the infliction of harm, or through the failure to act to prevent harm.
- 2.3 Abuse can occur in a family or an institutional or community setting. The perpetrator may or may not be known to the child.
- 2.4 *Working Together to Safeguard Children* sets out definitions and examples of the four broad categories of abuse which are used for the purposes of registration:
- Neglect
 - Physical abuse
 - Sexual abuse and
 - Emotional abuse
- 2.5 These categories overlap and an abused child does frequently suffer more than one type of abuse.

3. Physical Abuse

Physical abuse may take many forms e.g. hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating a child.

It may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child. This unusual and potentially dangerous form of abuse is now described as fabricated or induced illness in a child.

4. Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent effects on the child's emotional development, and may involve:

- Conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person
- Imposing developmentally inappropriate expectations

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- Causing children to feel frightened or in danger - e.g. witnessing domestic violence
- Exploitation or corruption of children

Some level of emotional abuse is involved in most types of ill treatment of children, though emotional abuse may occur alone.

5. Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening and includes penetrative (i.e. vaginal or anal rape or buggery) and non-penetrative acts.

It may also include non-contact activities, such as involving children in looking at, or in the production of pornographic materials, watching sexual activities or encouraging children to behave in sexually inappropriate ways.

6. Neglect

Neglect involves the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health and development.

This may involve failure to provide adequate food, shelter or clothing, failure to protect from physical harm or danger or failure to ensure access to appropriate medical care or treatment. It may also include neglect of a child's basic emotional needs.

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SIGNS AND SYMPTOMS

The following behavioural signs may or may not be indications that abuse has taken place; but possibly should be considered:

1. Physical Signs of Abuse

- Any injuries not consistent with the explanation given for them
- Injuries which occur to the body, in places which are not normally exposed to via falls, games etc.
- Injuries which have not received medical attention
- Neglect- under nourishment, failure to grow, constant hunger, stealing or gorging food, untreated illnesses, inadequate care, etc.
- Reluctance to change for, or participate in, games or swimming
- Repeated urinary infections, or unexplained tummy pains
- Bruises, burns, bites, fractures etc. which do not have an accidental explanation
- Cuts/scratches/substance abuse

2. Emotional Signs of Abuse

- Changes of regression in mood or behaviour, particularly where a child withdraws or becomes 'clingy'. Also, depression/aggression, extreme anxiety
- Nervousness, frozen watchfulness
- Obsessions or phobias
- Sudden under achievement or lack of concentration
- Inappropriate relationships with peers and/or adults
- Attention-seeking behaviour
- Persistent tiredness
- Running away / stealing / lying

3. Signs of Possible Sexual Abuse

- Any allegations made by a child concerning Sexual Abuse
- Child with excessive preoccupation with sexual matters, and detailed knowledge of adult sexual behaviour; or who regularly engages in age-appropriate sexual play
- Sexual activity through words, play or drawing
- A child who is sexually provocative or seductive with adults
- Inappropriate bed-sharing arrangements at home
- Severe sleep disturbances with fears, phobias, vivid dreams or nightmares; sometimes with overt or veiled sexual connotations
- Eating disorders – anorexia, bulimia

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4. Domestic Violence – categories

- Sexual
- Physical abuse
- Emotional abuse
- Treats
- Other aspects

Disclosures of violence by a student, with or without the involvement of the student in the domestic violence should be referred to the Designated Teacher.

5. Signs and Symptoms

The following behavioural signs may or may not be indications that domestic violence has taken place; but the possibility should be considered

- Physical injury
- Withdrawal
- Insecure / fear
- Self harm
- Eating difficulties
- Low self esteem
- Poor social skills
- Difficulties in trusting others
- Sadness / depression
- Aggressive to others
- Feelings of guilt
- Protective of mother / siblings
- Weight loss
- Truancy / running away
- Secretive / silent
- Self blame / bitterness
- Ability to negotiate difficult situations
- Developmental delays

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HOW TO RESPOND IF A CHILD CONFIDES IN YOU

It can take a great deal of courage for a child to talk to an adult about their abuse because the child is 'telling' on someone more powerful than they are. Therefore this should be kept in mind: The child may be having to betray a person who is not only close to them but also loved by them and they are risking a great deal in the hope that you will believe what they say.

Helpful response:

1. **LISTEN** to the child. Allow them to talk freely.
2. **ASK** *'Can you tell me who it was?'* if they won't answer do not push them or offer suggestions.

STOP do not ask any more questions. We are here to gather information in order to make a referral, and not to investigate.

3. **TELL** the child they are not to blame
4. **TAKE SERIOUSLY** what the child has said. We should not make judgements about the information given.
5. **AFFIRM** *'I'm glad you've told me. It was right to tell me. You have been brave and strong to tell me.'*
6. **REFER** tell the child you must tell other people who can help. Tell the person responsible for Child Protection within Haydon School; who will then make a decision whether to refer or not.
7. **PUT IN WRITING** what the child has told you, sign and date it.
8. **NEVER TELL A CHILD THAT YOU WILL KEEP A SECRET THEY TOLD YOU.**

9. What happens if I am concerned about a child but they have not made a disclosure?

It might happen that you become worried about a child's behaviour or injuries, but the child says nothing to suggest that he/she is being abused. What to do?

- Be the sort of person a child can talk to
- Be available and be prepared to listen
- Discuss your concerns with the Designated Teacher / House Manager
- Do not rely on someone else to take action

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10. What to avoid:

- If a disclosure is made to you: Do not speak to a child on a 1:1 in a closed room. Always ensure that the viewing panels on the door are clear or even better leave the door open.
- Do not allow your shock or distaste to show
- Do not probe for more information than is offered. You must not question the child or attempt to counsel the child
- Do not speculate or make assumptions
- Do not make negative comments about the alleged abuser
- Do not make promises that you cannot keep, such as promising that *'everything will be alright'*
- Do not agreed to keep the information a secret
- If a physical injury has occurred do not attempt to carry out an investigation.

Make sure that the child knows that the information will be passed on to the Designated Teacher.

11. Your role is:

- Be vigilant
- Report accurately and carefully to the Designated Teacher
- Support the child by being caring

12. There is no more to your role**13. What happens next?**

Once you have reported a concern to the Designated Teacher she/he will make a decision if a referral is to be made to an outside agency.

YES:

If this is the case, the Designated Teacher will complete a CAF form and fax it immediately to the appropriate agency – usually Social Services. They then make the next decision if a full child protection investigation will take place. If a Case Conference is to be held, the Designated Teacher may need to ask you for further information on that child or a child that you teach. Guidance for completing this form is on the following pages. This form should be returned to the Designated Teacher by the end of the day it was received.

NO:

A brief assessment and discussion with the House Manager may reveal that the needs of the child can be met by providing specific support from within the school.

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**INFORMATION REQUIRED
FOR REFERRALS AND
CASE CONFERENCES**

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DIMENSIONS OF CHILD'S DEVELOPMENTAL NEEDS**1. Health**

Includes growth and development as well as physical and mental well-being. The impact of genetic factors and of any impairment should be considered. Involves receiving appropriate health care when ill, an adequate and nutritious diet, exercise, immunisations where appropriate and developmental checks, dental and optical care and, for older children, appropriate advice and information on issues that have an impact on health, including sex education and substance misuse.

2. Education

Covers all areas of a child's cognitive development, which begins from birth.

Includes opportunities: for play and interaction with other children; to have access to books; to acquire a range of skills and interests; to experience success and achievement. Involves an adult interested in educational activities, progress and achievements, who takes account of the child's starting point and any special educational needs.

3. Emotional and Behavioural Development

Concerns the appropriateness of response demonstrated in feelings and actions by a child, initially to parents and caregivers and, as the child grows older, to others beyond the family.

Includes nature and quality of early attachments, characteristics of temperament, adaptation to change, response to stress and degree of appropriate self control.

4. Identity

Concerns the child's growing sense of self as a separate and valued person.

Includes the child's view of self and abilities, self image and self esteem, and having a positive sense of individuality. Race, religion, age, gender, sexuality and disability may all contribute to this. Feelings of belonging and acceptance by family, peer group and wider society, including other cultural groups.

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5. Family and Social Relationships

Development of empathy and the capacity to place self in someone else's shoes.

Includes a stable and affectionate relationship with parents or caregivers, good relationships with siblings, increasing importance of age appropriate friendships with peers and other significant persons in the child's life and response of family to these relationships.

6. Social Presentation

Concerns child's growing understanding of the way in which appearance, behaviour, and any impairment are perceived by the outside world and the impression being created.

Includes appropriateness of dress for age, gender, culture and religion; cleanliness and personal hygiene; and availability of advice from parents or caregivers about presentation in different settings.

7. Self Care Skills

Concerns the acquisition by a child of practical, emotional and communication competencies required for increasing independence.

Includes early practical skills of dressing and feeding, opportunities to gain confidence and practical skills to undertake activities away from the family and independent living skills as older children. Includes encouragement to acquire social problem solving approaches. Special attention should be given to the impact of a child's impairment and other vulnerabilities, and on social circumstances affecting these in the development of self care skills.

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DIMENSIONS OF PARENTING CAPACITY

1. Basic Care

Providing for the child's physical needs, and appropriate medical and dental care

Includes provision of food, drink, warmth, shelter, clean and appropriate clothing and adequate personal hygiene.

2. Ensuring Safety

Ensuring the child is adequately protected from harm or danger.

Includes protection from significant harm or danger, and from contact with unsafe adults/other children and from self-harm. Recognition of hazards and danger both in the home and elsewhere.

3. Emotional Warmth

Ensuring the child's emotional needs are met and giving the child a sense of being specially valued and a positive sense of own racial and cultural identity.

Includes ensuring the child's requirements for secure, stable and affectionate relationships with significant adults, with appropriate sensitivity and responsiveness to the child's needs. Appropriate physical contact, comfort and cuddling sufficient to demonstrate warm regard, praise and encouragement

4. Stimulation

Promoting child's learning and intellectual development through encouragement and cognitive stimulation and promoting social opportunities.

Includes facilitating the child's cognitive development and potential through interaction, communication, talking and responding to the child's language and questions, encouraging and joining the child's play, and promoting educational opportunities. Enabling the child to experience success and ensuring school attendance or equivalent opportunity. Facilitating child to meet challenges of life.

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5. Guidance and Boundaries

Enabling the child to regulate their own emotions and behaviour. The key parental tasks are demonstrating and modelling appropriate behaviour and control of emotions and interactions with others, and guidance which involves setting boundaries, so that the child is able to develop an internal model of moral values and conscience, and social behaviour appropriate for the society within which they will grow up. The aim is to enable the child to grow into an autonomous adult, holding their own values, and able to demonstrate appropriate behaviour with others rather than having to be dependent on rules outside themselves. This includes not over protecting children from exploratory and learning experiences.

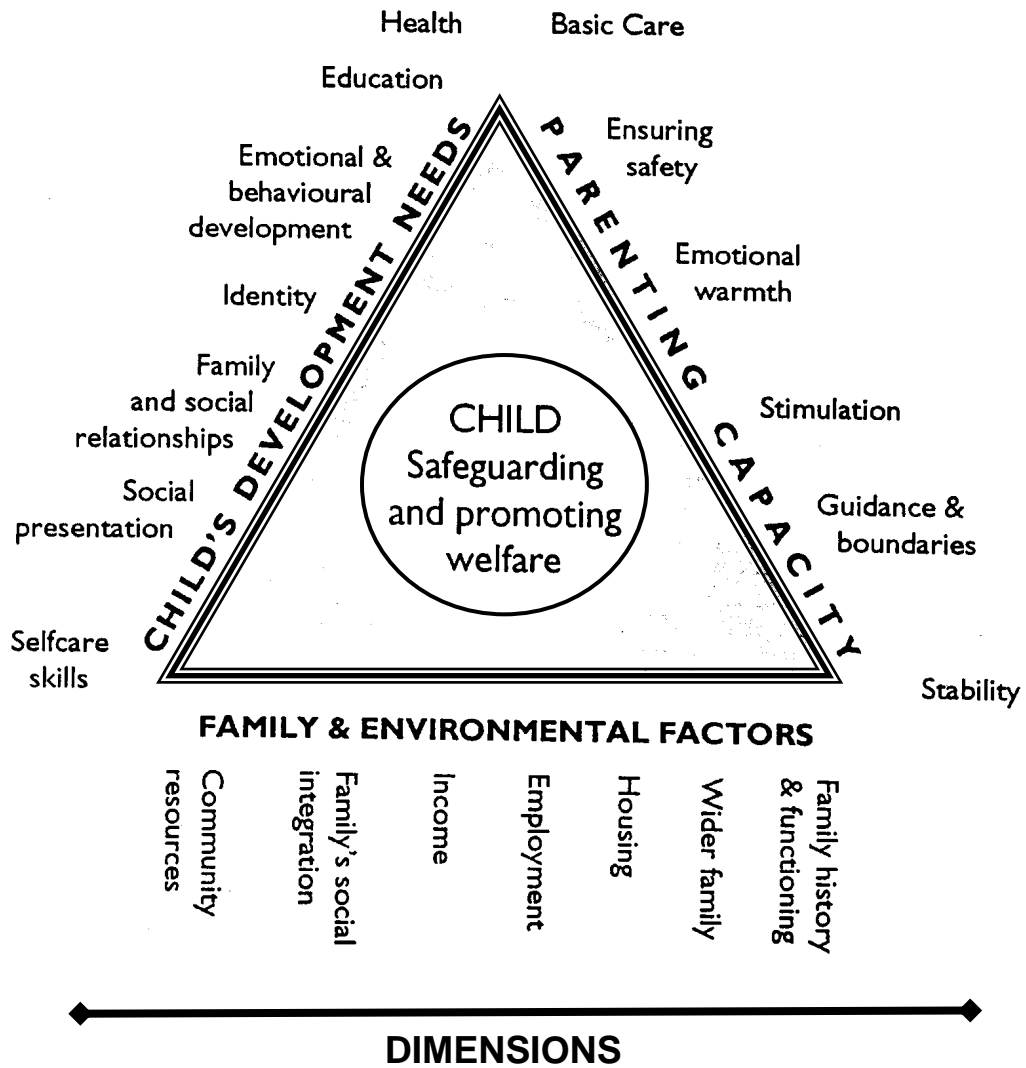
Includes social problem solving, anger management, consideration for others, and effective discipline and shaping of behaviour.

6. Stability

Providing a sufficiently stable family environment to enable a child to develop and maintain a secure attachment to the primary caregiver(s) in order to ensure optimal development.

Includes: ensuring secure attachments are not disrupted, providing consistency emotional warmth over time and responding in a similar manner to the same behaviour. Parental responses change and develop according to child's developmental progress. In addition, ensuring children keep in contact with important family members and significant others.

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FAMILY AND ENVIRONMENTAL FACTORS**1. Family History and Functioning**

Family history includes both genetic and psycho-social factors. Family functioning is influenced by who is living in the household and how they are related to the child; significant changes in family! household composition; history of childhood experiences of parents; chronology of significant life events and their meaning to family members; nature of family functioning, including sibling relationships and its impact on the child; parental strengths and difficulties, including those of an absent parent; the relationship between separated parents

2. Wider Family

Who are considered to be members of the wider family by the child and the parents?

Includes related and non-related persons and absent wider family. What is their role and importance to the child and parents and in precisely what way?

3. Housing

Does the accommodation have basic amenities and facilities appropriate to the age and development of the child and other resident, members? Is the housing accessible and suitable to the needs of disabled family members?

Includes the interior and exterior of the accommodation and immediate surroundings. Basic amenities include water, heating, sanitation, cooking facilities, sleeping arrangements and cleanliness, hygiene and safety and their impact on the child's upbringing.

4. Employment

Who is working in the household, their pattern of work and any changes? What impact does this have on the child? How is work or absence of work viewed by family members? How does it affect their relationship with the child?

Includes children's experience of work and its impact on them.

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5. Income

Income available over a sustained period of time. Is the family in receipt of all its benefit entitlements? Sufficiency of income to meet the family's needs. The way resources available to the family are used. Are there financial difficulties which affect the child?

6. Family's Social Integration

Exploration of the wider context of the local neighbourhood and community and its impact on the child and parents.

Includes the degree of the family's integration or isolation, their peer groups, friendship and social networks and the importance attached to them.

7. Community Resources

Describes all facilities and services in a neighbourhood, including universal services of primary health care, day care and schools, places of worship, transport, shops and leisure activities.

Includes availability accessibility and standard of resources and impact on the family, including disabled members.

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**MEMBERS OF STAFF
AND
CHILD PROTECTION**

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GUIDELINES ON PRACTICE AND PROCEDURE FOR SCHOOLS FACING ALLEGATIONS AGAINST MEMBER(S) OF SCHOOL STAFF OF PHYSICAL/SEXUAL ABUSE

1. Introduction

1.1 Teachers and other staff in schools, because of their daily contact with children in a variety of situations, including the wider caring role, are themselves vulnerable to accusations of abuse. Their relationships with pupils may lead to allegations against them being made by pupils or parents. There are several possibilities when an allegation against a member of staff is made:-

- a) The allegation is unfounded and malicious
- b) The allegation is unfounded but arises from misunderstanding or misinterpretation rather than malice
- c) the allegation is unfounded in relation to the person named, but abuse has been perpetrated by someone else
- d) The allegation is founded and can be proved "beyond reasonable doubt" i.e. for criminal prosecution
- e) The allegation is founded, cannot be proved "beyond reasonable doubt" but can be proved "on the balance of probabilities" i.e. for disciplinary action/dismissal
- f) The allegation has some foundation but is deemed to stem from naiveté or lack of social skills rather than intentional misconduct. It can, therefore, be dealt with by counselling or advice
- g) The allegation is deemed by Child Protection team and professionals, to be founded but there is only circumstantial, or no, evidence to corroborate the word of the child. The allegation may suit the Scottish "not proven" verdict.

1.2 It is regrettably the case that, in rare incidents, some teachers and other members of school staff have in the past been found to have committed child abuse. Schools need sound policies and procedures on the management of situations where there are allegations of abuse.

1.3 Grant Maintained schools are required to act in accordance with the Child Protection procedures of their Local Education Authority. These guidelines are supplementary to those procedures and are specific to dealing with an allegation made against a member of the staff of the school. The following guidelines therefore should be read in the closest conjunction with the guidance of the Local Authority. Headteachers may also wish to refer to

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“Working Together” issued by DFE. The following guidelines deal specifically with allegations made against a member of staff in the school.

- 1.4 It is extremely important that the Headteacher ensures that Child Protection procedures are followed even where the allegation is made against a member of staff whom the Headteacher may know well. It is also important to remind anyone investigating allegations of abuse that an open and inquiring mind must be maintained at all stages of the procedure to its conclusion and in the writing of a report of the investigation undertaken. The report may contain conclusions and recommendations to the Headteacher for further action.
- 1.5 A member of staff facing an allegation of abuse needs to have confidence that anyone investigating an allegation will act with an open mind in a careful measured way when the matter is brought to their attention. The following guidelines are designed to be consistent with principles of natural justice.

2. Procedure for Headteacher Dealing with an Allegation against a Member of Staff

- 2.1 Where an allegation is made against a member of staff there should be an urgent initial assessment by the Headteacher, in close collaboration with the other agencies involved in the local authority Child Protection procedures. *(All schools whether LEA, Foundation or Independent are required by law to comply with these procedures).*
- 2.2 The local Child Protection procedures will indicate who is responsible for assessing whether there should be further investigation using information supplied by the school. However, the decision to suspend a member of staff is taken by the Headteacher, taking advice from investigating agencies or EPM. It is important that allegations of abuse are referred in accordance with Child Protection procedures because:
 - a) The allegations may be made directly to the Police and/or Social Services by parents. This will trigger an initial investigation by the agencies. Failure by the Headteacher to notify the agencies may, therefore, give an unfortunate impression that the school is trying to suppress something.
 - b) Even if the allegation is trivial or untrue, case studies show that children making such disclosures may be referring to abuse perpetrated by someone else. It is, therefore, important to activate the Child Protection procedures so that the appropriate agency can ascertain whether the child is at risk from people outside the school.

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- c) If there is no substance in the allegation against a member of staff it is in his/her interest that the matter is investigated by an external independent agency.
- 2.3 It is important for the Headteacher to act promptly. It is also important to recognise that establishing whether an allegation warrants further investigation is not to form a view on whether the allegation is to be believed. *It would be difficult to say the allegation did not warrant any further investigation unless it was either trivial or demonstrably false.* In any subsequent investigation all the facts will be aimed at establishing whether the allegation can be substantiated.
- 2.4 Confidentiality should be maintained throughout this stage, in order that any subsequent investigation is not prejudiced.
- 2.5 Immediately an allegation is made, the Headteacher should initiate as necessary the following action:
- a) obtain a written record of the discussion with the pupil or parent from the member of staff, if other than the Headteacher, to whom the allegation is made. The written record should cover all the points raised by the pupil or parent and should be signed and dated by the Headteacher or member of staff to whom the allegation is made;
 - b) in close consultation with the appropriate agencies referred to above undertake an enquiry as a matter of urgency, to check the practical details of the allegation and to establish the facts. It should only involve making enquiries **of fact** of other staff or other pupils, on a confidential basis. The nature of the enquiries might include, for example:
 - were the child/children and member of staff in contact on that day?
 - were there any witnesses?
 - what were the precise times, dates, locations?
- A written record of all this factual information should be made.
- 2.6 Subsequent investigations must be in accordance with the local authority's child protection procedures. Early action to establish the nature of the allegation and to make an initial assessment of whether it should be investigated will be undertaken by the agencies in such a way that it does not prejudice any such subsequent investigation. There must be no interference with evidence.
- 2.7 The Headteacher, in close consultation with the appropriate agencies referred to in 2.1 above, should decide whether or not it is necessary to suspend the member of staff at this point. Where there is a **confident and unanimous view** that the allegation against the member of staff is demonstrably without foundation,

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- the **agencies** will consider whether the child might have been abused by someone else.
- the **Headteacher** will take no further action under disciplinary or child protection procedures in relation to the specific member of staff,
- the **Headteacher** will inform the member of staff that no further action is to be taken under disciplinary or child protection procedures. The member of staff may be accompanied by a 'friend', which includes a representative of the member of staff's trade union or professional association.
- the **Headteacher** may also consider whether informal clear professional advice to the member of staff is appropriate and the form it might take. The Headteacher may also wish to subsequently monitor the situation in order to be satisfied that the advice has been acted upon.
- the **Headteacher** should inform the Chair of Governors that an allegation was made against a member of staff (the name of the member of staff should not be disclosed at this stage).

2.8 Where the view of the agencies, i.e. **the police or Social Services**, is that it is necessary to investigate the allegation further, the Headteacher should refer all information to the agencies with the statutory duties and/or powers to investigate and intervene. Such referral of information will be according to the local authority's Child Protection procedures and could be made by either the Headteacher or the senior designated person in the school. The Headteacher or designated person should then:

- i) ensure the child's or children's parents are informed of the likely course of action;
- ii) inform the member of staff against whom the allegation is made and explain the likely course of action including whether or not the teacher is to be suspended at that stage;
- iii) inform the Chair of Governors of the allegation and any suspension of the member of staff.

3. Police Involvement

3.1 In some cases the police might wish to interview the member of staff against whom the allegation is made before any approach is made by the Headteacher. The police may act independently of the school, particularly where the alleged offence is unconnected with a member of staff's employment. Police officers should be given every assistance with their enquiries but confidentiality about the enquiries maintained in the member of staff's interests.

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3.2 Where the police are involved, it would not normally be expected that police interviews would be undertaken on school premises and normally appointments are made for such interviews and these occur at reasonable times.

4. Considering Whether Suspension is Appropriate

4.1 Headteachers should not automatically suspend or recommend suspension of a member of staff against whom an allegation is made. The Headteacher should consult with EPM before a decision to suspend is taken. Suspension may be considered at any stage of an investigation.

4.2 Suspension should not be undertaken without good reason. Circumstances in which suspension occurs include:

- where the allegations are so serious that they could constitute gross misconduct
- where it is necessary for the conduct of the investigation to proceed unimpeded
- where it is considered by the agencies that children could be at risk.

4.3 In all cases where suspension is being considered, the Headteacher should advise the member of staff to seek assistance from his or her union/association.

5. Where No Action is taken to Suspend

5.1 The Headteacher should explain to the member of staff the circumstances, which led to consideration of suspension and further explain any follow-up action, which it is proposed to take. A member of staff may be accompanied by a 'friend'. If the member of staff is a trade union representative then, in accordance with the ACAS Code there should be prior contact with a full time officer or other appropriate representative of the relevant trade union. According to the circumstance of the case, appropriate assistance or advice may be offered to the member of staff. The Headteacher should seek to establish what support, if any, is required by the member of staff. According to circumstances, appropriate counselling services should be considered.

5.2 If a member of staff has not been suspended but the Headteacher still has concerns about aspects of a member of staff's conduct, a full disciplinary investigation should be undertaken before making a decision about further action under disciplinary procedures. Advice about that investigation may be obtained from EPM in accordance with the school's disciplinary procedures and guidelines.

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6. An Interview to Consider Suspension

- 6.1 Where suspension of a member of staff is being considered, an interview should be arranged in accordance with the following guidelines. **(see paragraph 3.1 above).**
- 6.2 A member of staff called to an interview where suspension is a likely outcome should be advised by the Headteacher to seek the advice and assistance of his or her trade union or association. A member of staff who is not a member of a trade union or association may be assisted by a 'friend'.
- 6.3 The member of staff should be informed at the outset of the interview that an allegation has been made and that, at the conclusion of the interview, suspension might occur. The member of staff, where accompanied, should be offered the opportunity of a brief meeting with the representative or 'friend' before the interview. It should be made clear however, that the interview is not a formal disciplinary hearing but is for the purpose of putting forward a serious matter which may lead to suspension followed by further investigation. It should also be made clear that any suspension is not of itself a disciplinary action but for the purposes of carrying out the investigation and to protect all the parties positions.
- 6.4 The member of staff should be given as much information as possible about the allegation and about the reasons for the suspension. The member of staff should be given an opportunity to make representations concerning the suspension. An adjournment should be offered to the member of staff prior to response.
- 6.5 If, as a result of the interview, it is considered by the Headteacher that suspension is necessary pending a full investigation of the allegation, the member of staff should be advised that s/he is suspended from duty. Written confirmation of the suspension should be dispatched within one working day, giving reasons for the suspension.

7. Following a Decision to Suspend Pending Investigation

- 7.1 Where a member of staff has been suspended, the Headteacher is advised to inform the Chair of Governors. The Headteacher should report that a member of staff has been suspended pending investigation. No more information than the statement of the suspension should be given since this could prejudice the position of governors in any subsequent hearing or appeal in any disciplinary proceedings that may follow.
- 7.2 The pupil or parent making the allegation should be confidentially informed of the suspension. Where the pupil is under 18, his or her parents should

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normally be informed, so far as is consistent with the local Child Protection procedures.

- 7.3 Senior member of staff in the school who need to know of the reason for the suspension should be informed, so far as is necessary, of the particular circumstances.
- 7.4 The Headteacher should take advice about any decision on whether to inform other staff colleagues in the school of the suspension. The Headteacher should also take advice in considering the extent to which it is necessary to make a statement to parents of children in the school, having considered the need to avoid unwelcome publicity.
- 7.5 In certain circumstances, it may be necessary for the Headteacher to provide immediate reassurance to parents and children in the school and there may be a need for information to continue to be provided during the course of an investigation to parents, children and other colleagues. The local Child Protection Service may be available to help deal with concerns expressed by parents/staff.
- 7.6 The Headteacher should consider carefully, and keep under review, decisions as to who is informed of the suspension and investigation and to what extent confidentiality can or should be maintained, according to the circumstances of a particular case. In a situation where a matter becomes common knowledge or the subject of general gossip, it may be desirable to provide an accurate statement for public information.

8. Support for the Member of Staff during the Period of Suspension

- 8.1 The suspended member of staff should be given the name of a person in the school as an information contact. The main role of the contact person is to provide information as to the progress of the investigation. Social contact with the member of staff's colleagues and friends at the school should not be precluded except where likely to be prejudicial to the presentation of evidence.
- 8.2 The contact, or another person from the school, should provide the member of staff with information about developments at the school in general, taking account of the needs and wishes of the member of staff to be kept informed.
- 8.3 In some cases, it may be appropriate to ask the member of staff whether welfare counselling or the support of the school's medical adviser would be helpful, or to respond to a request of the member of staff for such further support.

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9. Support for Others Concerned

9.1 Consideration should be given to what support may be needed for the child or children making the allegations and their parents. Consideration should also be given to what support may be needed for others at the school, both staff and pupils, according to the circumstances of the alleged abuse.

10. The Investigation

10.1 There will be three possible routes for an investigation:

- a) a criminal investigation by the police
- b) under the LEA's Child Protection procedures
- c) under the school's staff disciplinary procedures

10.2 Any investigation by the police or Child Protection agencies will take priority over an internal investigation by the school. There should **not** be an internal investigation running alongside a police or child protection agency enquiry. Any such enquiry, if it becomes necessary, should be held in abeyance pending the outcome of the external investigation.

11. Outcome of the Investigation

11.1 At the end of the investigation, if there is no action by the police, a meeting should be arranged to inform the member of staff of the next steps. The member of staff may be accompanied or represented by a trade union representative or a 'friend'.

11.2 If the outcome is a disciplinary charge, further action will be in accordance with the school's disciplinary procedures. *It may be necessary to carry out an internal investigation prior to a decision about the use of the school's disciplinary procedures. This will depend on the availability and appropriateness of the written report of the evidence from the external investigation. Advice may be sought from EPM regarding the need for such an investigation, how that investigation should be conducted and by whom.*

11.3 Where it is decided not to proceed with any form of disciplinary action, the suspension should be lifted as soon as possible by the Chair of Governors acting on behalf of the Governing Body. The Headteacher should meet the member of staff to discuss the member of staff's return to work.

11.4 Other than in the event of dismissal, the Headteacher should provide the opportunity for informal counselling. This could be used to give appropriate guidance, support and reassurance and to help rebuild, where necessary, a member of staff's confidence.

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11.5 On the conclusion of any investigation and/or any related disciplinary proceedings, the child or children who made the allegations and their parents should be informed of the outcome of the proceedings. This should be prior to a member of staff's return to school if s/he has been suspended. In some circumstances, consideration should be given to the broader disclosure of details of the outcome.

11.6 Support mentioned in paragraph 9 may also need continue to be provided to the pupil(s) after the conclusion of the investigation.

12. Records

12.1 Documents relating to an investigation, both the external and any internal investigation, should be retained, together with a written record of the outcome of the investigation and, where disciplinary action has been taken, retained on the member of staff's personal and confidential file in accordance with the school's disciplinary procedures.

12.2 If the member of staff is dismissed, or resigns before a disciplinary process is completed, the head teacher should inform the member of staff about the statutory duty to report the case to the appropriate section of the Department for Education. Advice on the report to the DCSF may be obtained from EPM.

13. Allegation against the Headteacher

13.1 Where an allegation is against the Headteacher, the Chair of Governors should act in accordance with the guidance given above replacing "Headteacher" with "Chair of Governors".

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APPENDIX

INTERNAL INVESTIGATION PROCEDURES PRELIMINARY TO CONSIDERING DISCIPLINARY ACTION

An external investigation of an allegation against a member of staff will be carried out in accordance with the procedures set out in the Local Authority's Child Protection Procedures.

The following guidelines should be followed by any person carrying out an **internal investigation** under the school's disciplinary procedures where it is considered necessary and appropriate as referred to in paragraph **11.2** above.

1. The person investigating may be a senior member of staff in the school, with relevant experience, designated by the Headteacher, or the Headteacher may invite an appropriately qualified and experienced person to conduct the enquiry on behalf of the school.
2. The person investigating should:
 - define areas to be investigated
 - draw up a provisional list of those to be interviewed and a list of topics to be discussed, extended as required during the investigation
 - check corroborative evidence
 - assess the credibility of the pupil/person making the allegation
3. Interviews should be carried out as soon as possible. A statement should be taken from each person, signed and dated. The person carrying out the investigation should have access to assistance as necessary to make the record.
4. A suitable venue and time should be selected to encourage co-operation and the opportunity to be accompanied should be offered. At the beginning of an interview, a general explanation of the purpose of the investigation should be provided.
5. If, at any stage during the investigation new evidence emerges which make a referral necessary under the child protection procedures or to the police, the investigation should be held in abeyance immediately following such a referral. Consideration should also be given as to whether suspension is appropriate in such circumstance.

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6. Interviewing the Teacher who is the Subject of an Allegation

- 6.1 The point at which this occurs will depend upon the nature of the allegation and the investigation process.
- 6.2 The teacher should be informed of his/her rights under the school's disciplinary procedure, including the right to representation.
- 6.3 The teacher should be informed of the allegation and invited to respond and to make a statement. The teacher has the right either to respond or decline to respond.
- 6.4 Full notes should be taken of the interview and the teacher invited to read and sign them as a true record at the end of the interview. A copy of the notes will be given to the teacher.
- 6.5 The teacher should be invited to identify any persons who may have information relevant to the investigation. These names should be added to the list of those to be interviewed.

7. Compiling a report

- 7.1 Once all the relevant persons have been interviewed and all the relevant issues have been explored, the investigation is complete. The details obtained and the statements taken should then be compiled into a report.
- 7.2 Consideration should again be given as to whether there are matters, which should be referred under local child protection procedures or to the police and whether suspension is appropriate at this stage. If there is such a referral, further proceedings at school level should be held in abeyance.

8. Subsequent Action

The report should then be referred to the Headteacher who in consultation with the Chair of Governors will make a decision on whether further action should be taken, including the possible referral of the report under disciplinary proceedings. At this stage reference should be made to the school's disciplinary procedures.

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CODE OF CONDUCT FOR TEACHERS AND OTHER EMPLOYEES WORKING WITH YOUNG PEOPLE

1. Introduction

- 1.1 This Code of Conduct is intended to help staff to minimise the risk of any vulnerability to false or malicious allegations of misconduct or abuse towards pupils and students with whom they work. All staff working with young people will understand and appreciate that a Code of Conduct cannot cover all eventualities and will not totally remove the risk of false or malicious allegations.
- 1.2 This code does not replace or take priority over the school's Child Protection Procedures. All staff must be aware of the action that must be taken by employees when child abuse is suspected whether inside the school, at home or elsewhere or following any disclosure of alleged abuse. A copy of the school's Child Protection Procedures is available from the Head Teacher or Designated Teacher for Child Protection.

2. General

- 2.1 Employees should take care that their relationships with pupils reflect the age, gender and maturity of the pupils. It will be particularly important to ensure that all aspects of demeanour, language and attitudes - however conveyed - do not give rise to misunderstandings, especially when dealing with adolescent boys and girls. Ambiguous or ambivalent comment and conduct, in particular, should be avoided.

4. Corporal Punishment

- 4.1 Physical contact for the purpose of punishing a pupil is unlawful if it amounts to "battery". Interference with a pupil's body or clothes may constitute battery and acts such as catching a pupil by the lapels of the blazer whilst disciplining him/her are unacceptable. Any form of physical punishment is prohibited under disciplinary procedures and potentially actionable in law. This also applies to any form of physical response to misbehaviour, with the exception noted in 3.1.(i) above.

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5. Private Meetings

- 5.1 Private meetings provide opportunities for mis-interpretation and should be avoided. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote areas of the school and to ensure that the door is left open and/or visual contact with others is maintained. Steps to prevent others entering a room by the use of 'Meeting in Progress' are not appropriate.
- 5.2 Under no circumstances should meetings with individual pupils be arranged off the school premises or on the school premises when the school is not in session without the prior approval of the Headteacher or any senior colleague with delegated authority to approve such meetings. This includes the transporting of individual children in private cars.

6. Pupils with Special Needs

- 6.1 If pupils require assistance with toileting staff should consider whether it would be possible to arrange for the presence of another adult in the vicinity. Where this is not possible employees should discuss with their Headteacher what arrangements will be reasonable in all the circumstances.

7. Comments and Discussions with Pupils

- 7.1 Staff must avoid comments to or about pupils, which could be taken to have sexual overtones. It is equally unacceptable for staff to encourage debate and discussion between groups of students which could be interpreted as having sexual overtones which are not justified in the context of the teaching programme. It will be especially helpful if Schemes of Work highlight particular areas of risk and sensitivity. Newly qualified teachers or other staff who are new to this area of work should seek guidance.
- 7.2 Notwithstanding the advice given above it is recognised that, in order to discharge particular pastoral responsibilities, staff may from time to time need to engage in conversation with pupils and students which cover sensitive matters. Staff should consider carefully whether to offer advice, sympathy or counselling if a discussion enters a sensitive area or, alternatively, refer the pupil to a colleague or agency better placed to offer appropriate advice.
- 7.3 The use of sarcastic, demeaning or insensitive comments towards pupils is abusive and therefore unacceptable.

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8. Infatuations and Crushes

Infatuations and crushes can involve pupils and staff of both sexes on both heterosexual and homosexual basis. In such situations the advice of a senior colleague must be sought without delay. The situation should be taken seriously and the member of staff should be careful to ensure that no encouragement of any kind is given to the pupil. It should also be recognised that careless and insensitive reactions may provoke false accusations. Whilst the risk of infatuation is not limited to younger members of staff, newly qualified teachers must recognise their particular vulnerability to adolescent infatuation.

9. Out of School and After-School Activities:

Staff should take particular care when supervising pupils, especially older pupils, in the less formal atmosphere of a residential setting, school holiday or out of school activity. The more relaxed relationships that may promote successful activities can be misinterpreted by young people. The standards of professional conduct and behaviour expected of employees are no different to those which apply when the school is in session.

10. Teaching materials

The use of books, videos and films of an explicit or sensitive nature, particularly in relation to language or sexual behaviour must be given careful consideration to ensure that its selection is not subsequently misinterpreted. There should always, therefore, be a clear link with the targets of the teacher's programme.

11. Reporting Incidents

Staff should report, to the designated member of staff, any concerns they may have following any incident where they feel that their actions may have been misinterpreted, or where a pupil, parent or third party has complained to them either about their own actions or the actions of another member of staff.

12. Communication with pupils

No member of staff is allowed to communicate with a pupil out of school or within using their own mobile phone or social networking sites. Communication is permitted using "hillingdongrid". No member of staff should give their personal mobile phone number to a student.

Policy to be reviewed annually.

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Document History

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