



Handling Allegations Against Members Of School Staff: Guidance Note For Staff, Schools And Education Authorities

Purpose

The purpose of this guidance note is to provide support for schools and authorities in dealing with the member of staff who is the subject of an allegation.

NB: IT DOES NOT SUPERCEDE THE ACTIONS THAT ARE REQUIRED IN ORDER TO SAFEGUARD CHILDREN AND YOUNG PEOPLE WHICH MUST ALWAYS BE THE PRIMARY CONSIDERATION IN ANY SITUATION.

Schools and authorities must have procedures in place that meet the needs of both staff and children and young people and must ensure that any local procedures for handling allegations dovetail with local disciplinary and child protection procedures in accordance with the National Child Protection Guidance (2010) and inter-agency child protection guidelines.

Introduction

Any allegation against a member of staff, for whatever reason, can be very stressful and upsetting to all those involved. It is essential that authorities maintain anonymity and take steps to protect the identity of any member of staff as far as possible whilst allegations are being investigated.

If any member of staff receives information or hears an allegation of abuse or inappropriate conduct against another member of staff, the Head Teacher and the school's Safeguarding Co-ordinator must be informed immediately. It is vital to both staff and children and young people that any action taken in response to information or allegations is conducted properly, and promptly, in order to support proper investigation.

Maintaining Anonymity

In any action taken following an allegation against a member of staff, care must be taken to avoid attracting unwanted publicity. Neither the member of staff nor the person making the allegation should be named publicly by either the school or the education authority all parties should also be encouraged not to talk to anyone other than those involved in the investigation about the matter on the basis that this could prejudice the final outcome.

Consideration of allegations should take place promptly and confidentially and be concluded as soon as is practicable in line with locally agreed procedures. Allegations against members of school staff, including those which are found to be false or unfounded, can have a damaging affect on the staff member involved, and support in dealing with this should be offered through line management and staff welfare structures.

If, as an outcome of investigation, the allegation is found to be unfounded then there needs to be clear guidance within local authority advice to school managers about how future working relationships between the young person and the staff member are to be taken forward. Both the staff member and young person may require support. Guidance should be offered about whether the young person should ever be in that member of staff's class in future. The young person's family may likewise need reassurance and support and it should be clear about who can be contacted to provide this

Whilst the immediate allegation and unfounded outcome may be handled well, guidance should also be given about what the school does to handle disclosure of the allegation at a later stage when either the member of staff or young person may have their guard down.

Minimising risk of allegations

All staff should consider the appropriateness of their own and their colleagues' behaviour. Staff and pupils alike should feel confident to openly discuss behaviour which they do not like; a positive school ethos helps build a climate of openness where this can happen.

Where a member of staff feels that his or her actions have been, or might have been misinterpreted, he or she should make a written report to their line manager without delay.

A number of day-to-day activities in schools should be considered by staff in relation to approaches to helping and supporting pupils to meet their needs:

- **Private meetings with pupils** – in line with local authority policies
- **Physical contact with children and young people** - through personal care of disabled children and young people, or through reassurance or comfort when a child is distressed. Contact should be minimal and respectful of the child's comfort and preferences
- **Physical education** - where staff support movement or in kinaesthetic teaching. The nature and purpose of contact should be fully explained to pupils beforehand
- **Restraint** - in line with local authority policies
- **Changing of clothes** - appropriate privacy should be provided for older pupils and adult supervision kept to a minimum. Younger children should be encouraged to dress without assistance unless they approach staff for help

- **Residential experiences/trips/field trips** – in particular where staff accompany young people on an excursion outwith the UK and where the law may differ from that in Scotland
- **Relationships** - if a staff member is concerned that a child or young person has feelings for him or her beyond the bounds of a professional relationship, then the advice of a senior colleague, headteacher or the school's CP Co-ordinator should be sought
- **Verbal banter** - positive relationships between teachers and pupils often involve humour. However, careless comments can be misinterpreted, hurtful or embarrassing, for either the pupil or staff member. Staff members should take a consistent approach to their own use of language and should make a consistent response to a child or young person's inappropriate language. If a pattern of inappropriate language by one child or young person is observed, this may indicate the child or young person is troubled or at risk, and in need of support.
- **Staff personal information** - it is a matter of judgement and personal preference how much personal information individual staff discloses in their discussions with and support to pupils. Staff should be aware that any such information may be interpreted by pupils differently than was intended and may not be kept confidential by the pupil. However, in some cases young people may feel supported by hearing that adults have also experienced some of the difficulties they are facing
- **Social Networking Activity** – again a matter of judgment and personal preference however engaging in this activity by nature involves contacting young people or indeed them being able to access personal information about staff through a third party. Texting and emailing young people or allowing them to text or email staff should be in line with local authority guidelines on these matters
- **Teaching materials** - materials used to help children and young people learn about sensitive issues (for example, sex education, race relations, holocaust studies) should be carefully selected and appropriate to their age and maturity. All parents and carers should be given the opportunity in advance to view key teaching materials and to ask questions about any aspect of a sex education programme. There is no statutory requirement to participate in a programme of sex education and a parent or carer may wish to withdraw a child from all or part of a planned sex education programme. Arrangements should be made for a pupil to have alternative positive educational provision.