

# Working together?

Head teachers are often left to handle allegations of child abuse against teaching staff alone. **Elaine Webster** shares case studies of interventions that illuminate practice advice.

**W**orking Together 2006 (Appendix 5) is a guidance document that sets out responsibilities, confidentiality rules and timescales for employers. The embedding of the guidance has taken two years.

But professional judgement is needed in every case, whatever rules are put in place. Some employers struggle

because they interviewed, employed and inducted the person the allegation is about. Many employers struggle with investigating 'transferable risk' – which means questioning if the accused staff member can care for their own kids or other children they are responsible for, like members of a youth club.

Birmingham is unusual in that it has the 'Silvermere



Centre' – a dedicated team for helping employers with staff accused of child abuse, where I work. But even so, at least 25% of the calls we take are referred back to the employer/manager.

As a service, we are aware that schools deal with issues that do not get referred to us. It is totally appropriate that head teachers exercise professional judgements and decide on appropriate action themselves. But if the matter is a Child Protection/Safeguarding issue and involves a person in position of trust, my team should be involved.

Any process that deals with a person's professional standing and their career is a challenging area of work and generates debate. The procedures are meant to be a protective factor rather than punitive, but for any person who is subject to an allegation, any process will feel punitive. People particularly complain about how slow the process is. But the Crown Prosecution Service (CPS) is often responsible for the delay - not the individual police officers.

These case studies all involved my team and give an idea of the issues that can arise in schools and what can be done to deal with them.

### ■ Case study one

A head teacher made a referral to our team saying that a female member of his staff who worked at his primary school had been texting a 15-year old girl.

The head teacher immediately challenged the teacher and advised her to cease contact and change her mobile number. The teacher ignored him.

Shortly after, in an art class, the teacher made two cards with hearts on and the child's initials inside. When asked about it, she said the child lived outside Birmingham and wanted to be a boy. She also admitted to having photos of the girl on her mobile phone.

The head teacher contacted the police immediately and the teacher was suspended.

During the police investigation, it was found that the girl had been asked by the teacher to send her photos in a state of undress. The pictures were found on the teacher's phone along with graphic pictures of the child self-harming.

When interviewed by police, the teacher said she was "In love" with the girl. The girl was identified and located by the police. A Safeguarding Plan was put in place.

The member of staff was charged with (and found guilty of) possession of indecent images of a child and placed on the sex offender's register. Referral was also made to list 99.

The teacher's son was placed in the care of his grandparents.

### ■ Case study two

A parent of a 10-year old boy contacted his head teacher to report that his Mosque teacher had sexually abused him twice. The head teacher got advice to contact the area social work team and the police.



The Mosque teacher also did private tuition at family homes. A Child Protection medical investigation confirmed that sexual abuse had taken place with evidence of anal rape. The police investigation uncovered other child victims at the same school.

The Mosque Teacher denied the allegations in police interviews. However, when the matter progressed to court he changed his plea to 'Guilty'.

The Mosque teacher was found guilty of rape of a child under the age of 16. He was sentenced to five years in prison, placed on the Sex Offenders register for life and banned from ever working with children under 18-years-old again. A referral was made to the Independent Safeguarding Agency.

Due to the gravity of the offence, the judge made a ruling that the Mosque teacher should be immediately deported to Pakistan on release from prison.

The head teacher supported all the families during the investigation and criminal proceedings.

### ■ Case study three

A referral was made to a head teacher that a member of staff had pinched a pupil on the arm that resulted in a bruise.

The matter was referred to the Child Protection team and the police. A Child Protection medical investigation confirmed that an assault had taken place. The parents of the child refused to allow their child to be formally interviewed by the police as they did not want their child to have to go to court. As a result, the head teacher was left to conduct a disciplinary investigation.

The police investigation uncovered that the teacher's conduct had been 'difficult' in the past – even though the

school had no record on file about previous conduct issues or any CRB references.

This was because the teacher was foreign - and international checks had not been conducted, or safe recruitment checks.

It turned out that the teacher had changed names several times and was not a qualified teacher at all. Their previous job was foster carer for another LA. That LA had dealt with a similar issue where there were allegations that the teacher had been 'harsh' with the pupils.

The teacher was disciplined. But shortly after, another referral came in - a child alleged that he had been "Pulled about" and his arm hurt. There was another police investigation - and although it did not meet the criminal threshold for prosecution, the police were not happy that the teacher was still in a teaching post.

Child Protection Services said that, although the matter could not proceed to court, the teacher was "Unsuitable" to work with children. The teacher was dismissed.

### Action

The case studies cover a range of concerns and outcomes. But they all fell to the employer to deal with. All of these cases threw up wider questions like:

- a) Does the person whom the allegation has been made against have children of their own?
- b) Does the person whom the allegations have been made against have contact with children in any other capacity - like scout leader or netball coach - and are there transferable risks?

There are a few protocols that must be followed. Following each meeting there should be minutes sent to all those who attended. There should also be an action plan to take away - so agreed actions are clear, have a responsible person identified and a timescale.

A more detailed guidance has recently been sent out from Central Government for consultation. The outline is significantly more detailed around the individual agencies' responsibilities and will be out at the end of 2009.

A House of Commons Committee Report is also running an investigation into the impact of allegations teaching staff.

The Independent Safeguarding Authority will be becoming embedded further over the next 18 months. CRB checks will remain important and employees need to understand that police may record soft intelligence about their private lives.

**Elaine Webster is the assistant head of safeguarding at Birmingham City Council.**

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