



“I have come in order that you might have life – life in all its fullness.”
John 10:10

Managing Historical Allegations of Child Abuse Policy

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MANAGING HISTORICAL ALLEGATIONS OF CHILD ABUSE POLICY

(This policy is based on Somerset Safeguarding Children Board (SSCB) procedures and advice, which, in turn, follows guidance set out in *Keeping Children Safe in Education*, DfE, May 2016.)

1. Introduction

This policy provides guidance for managing allegations in respect of all cases in which it is alleged that a member of staff or volunteer working within Christ Church C of E First School and Nursery has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children.

As a Christian learning community we take seriously our responsibility to protect children from abuse and neglect. We are committed to ensuring that all children at Christ Church are free to experience “life in all its fullness” (John 10:10) as healthy, happy, confident, socially responsible, well-educated individuals. We recognise that for all children to flourish all adults in school must first share a commitment to Safeguarding and promoting the welfare of each and every child, irrespective of sex, age, disability, race, religion or belief, sexual identity or social status.

2. Legislation and guidance

The Headteacher and Governing Body take seriously their duties to safeguard and promote the well-being of children and to work together with other agencies to ensure adequate arrangements are put in place to identify, assess, refer and support those children who are, or are at risk of, suffering harm. All action is taken in line with the following legislation/guidance:

- Childcare Act 2006
- Childcare (Disqualification) Regulations 2009
- Children Act 1989
- Children Act 2004 (Section 11)
- Education Act 2002 (Sections 157 and 175)
- Education (Independent School Standards) (England) Regulations 2010

Relevant publications:

- *Keeping children safe in education* (DfE, September 2016)
- *Working together to safeguard children* (DfE, March 2015)

3. Managing allegations, disclosures or concerns

Allegations by a child or young person about a current or past staff member or volunteer must not go unrecorded or unreported. Any and all allegations should be reported **straight away**, to:

- the Designated Safeguarding Lead (DSL) (**Rupert Kaye**), and/or
- one of the Deputy Child Protection Officers (CPOs) (**Ali Bowden** or **Katy Tennant**), and
- the Local Authority Designated Officer (LADO) (**Anthony Goble**) via Somerset Direct on 0300 1232224.

In the case of an allegation of historic abuse, see sections 4 and 22, below.

If the allegation concerns the Headteacher/DSL, the member of staff/volunteer making the allegation must either contact the Chair of Governors or the LADO directly.

If contacted with regard to an allegation against the Headteacher, the Chair of Governors will follow the Somerset County Council (the LA) *Guidance for Chairs of Governors Dealing with Child Protection Allegations against the Headteacher* and will contact the LADO (**Anthony Goble**) via Somerset Direct on 0300 1232224.

If a disclosure about an adult colleague is received, it is important to reassure the child that what she/he says will be taken very seriously and everything possible done to help. If you are in the room when a child or young person begins to disclose concerns to another person, you should stay unobtrusively in the background. You may be able to support/witness what has been said if required.

The school recognises that it is an agent of referral and not of investigation.

The school is legally obliged to make a referral to the Disclosure and Barring Service if at the end of the allegation process a member of staff or volunteer is removed from their position, or if they leave while under investigation for allegedly causing harm or posing a risk of harm to children.

4. Historical abuse

Historical abuse (also known as non-recent abuse) is an allegation of neglect, physical, sexual or emotional abuse made by or on behalf of someone who is now 18 years or over, relating to an incident which took place when the alleged victim was under 18 years old. (For more information, see section 22, below.)

The Police should be informed about allegations of crime at the earliest opportunity. Any reports of historic abuse made to Avon and Somerset Police must be to the Safeguarding Coordination Unit on 01823 349037.

5. Managing historic allegations of child abuse and neglect

Any reports of historic abuse made to Avon and Somerset Police must be to the Safeguarding Coordination Unit on 01823 349037.

5.1 Late reporting

Many child abuse allegations are not reported until years after the offences were committed. There are many valid reasons why late reporting is common. For example:

- fear of not being believed;
- ongoing contact with the perpetrator;
- threats made by the perpetrator;
- lack of understanding about the abuse they experienced;
- inability to adequately communicate the abuse due to their developmental stage;
- culture or language barriers.

Before work is undertaken with individuals, staff members have a responsibility to advise them of certain disclosures which they may have to report. This is part of their duty to safeguard children. This duty may include sharing confidential information without the adult's permission. Written information detailing staff responsibilities to share confidential information should also be provided to the individual.

The guidelines set out below should also be used for children who are not yet 18 years old, and have made a disclosure of historic abuse from earlier in their childhood.

5.2 Duties and responsibilities

Christ Church C of E First School has a statutory responsibility to make arrangements to safeguard and promote the welfare of children and young people.

This responsibility includes a duty to report to Children's Social Care, via Somerset Direct on 0300 1232224, any beliefs or suspicions that a child may be suffering, or is likely to suffer, significant harm.

Christ Church staff must also ensure that there is an appropriate response when adults disclose abuse that they experienced as a child because:

- there is a significant likelihood that a person who abused a child in the past will have continued to do so, and may still be abusing children;
- a criminal prosecution may be possible if sufficient evidence can be obtained.

All new staff to Christ Church will be informed how they can access this policy during their induction programme.

All staff within Christ Church should be familiar with the procedures detailed in this document and of other related policies. This will be assured through

induction, supervision and appraisal.

All new staff to Christ Church will be informed how they can access this policy during their induction programme.

All staff who receive a disclosure from an adult or child regarding historic child abuse or neglect allegations must follow this policy and consider the current whereabouts of the alleged offender and their likely contact with children. Support to the individual making the disclosure must also be offered.

All staff must act in the best interests of the adult or child involved. A child's welfare is paramount. If there are concerns about the safety or welfare of a child, a member of staff must always do something, even if that is sharing concerns with a supervisor or manager who has greater knowledge and experience in relation to child protection. **Doing nothing is NOT an option.**

All staff must in the first instance seek advice or consultation to clarify and evaluate the nature of the allegation.

Internally, advice can be sought from:

- the Designated Safeguarding Lead (**Rupert Kaye**), and/or
- one of the Deputy Child Protection Officers (**Ali Bowden** or **Katy Tennant**)

Externally, advice can be sought from:

- the Local Authority Designated Officer (**Anthony Goble**) via Somerset Direct on 0300 1232224
- Children's Social Care via Somerset Direct on 0300 1232224
- Somerset SCB Coordinator: 01823 357868
- Police Safeguarding Coordination Unit: 01278 644584

5.3 Initial staff response to new historic abuse allegations

As soon as it is apparent that an individual is revealing details of new childhood abuse allegations, the member of staff must record what is said by the person and the responses made by that staff member.

All records must be dated and signed in accordance with Christ Church recording guidance. It is not appropriate for staff to "investigate" the allegations or ask probing questions prior to involvement of the Police and other statutory agencies. Any information recorded in the professional or agency records may be used as Police or court evidence.

If possible, the alleged perpetrator's recent or current whereabouts should be determined and if they have any contact with children. This will include gathering

information such as the alleged perpetrator's full name, address, date of birth, place of work, responsibility for children and whether the abuse had previously been investigated, and if so by whom.

The individual making the disclosure should be asked whether they want to make a complaint that may lead to a Police investigation and to a criminal prosecution. Contact will be made with the Police as appropriate. In any case, the Police will need to be notified and may take action.

Consideration must also be given to the support needs of the individual, who should be reassured that all reasonable efforts will be made to investigate what they have reported. All assessments should be documented in the professional record. Individuals must also be made aware that insufficient disclosure of information may result in no action being taken against the perpetrator, which could leave children at risk of harm.

5.4 Supporting the individual making a disclosure

When information is obtained that gives rise to a reasonable suspicion that a child or children are currently at risk of abuse and neglect, a member of staff has a duty to act by discussing the case with the DSL or Deputy CPO or, in their absence, another senior leader in school. It is that person's responsibility to contact Children's Social Care and the Police.

In these circumstances all efforts should be made to empower the individual to be positive in making the disclosure, or agreeing to the sharing of information, although there are circumstances when the member of staff will have to act even without the individual's consent.

When it is not clear as to whether any children are currently at risk or the identity of the alleged abuser(s) is unclear, the case should still be discussed with the Designated Person or a manager. It may be possible to work with the individual over a period of time to empower them to reveal or remember more details and so proceed with a formal disclosure.

Staff should be aware that disclosure of historic abuse allegations made to the Police or Children's Social Care, and the subsequent actions taken, may place the individual making the disclosure at risk of self-harm, retaliation, criticism or estrangement from their family.

The need to safeguard the individual making the disclosure, and protect their wish for confidentiality, must be weighed against the likelihood of preventing future harm. These decisions are challenging and complex, and should always be discussed with the Designated Person, a manager or Children's Social Care (via Somerset Direct) when there is any doubt as to how to proceed. The outcomes of any discussions must be recorded, together with any resulting agreed actions.

5.5 Making a formal complaint to the Police

These cases should be discussed with the Designated Person or a manager.

The Police should be informed about allegations of crime at the earliest opportunity. Any reports of historic abuse made to Avon and Somerset Police must be to the Safeguarding Coordination Unit on 01823 349037. Staff may wish to help facilitate this process for the victim by being present in an initial telephone call with the Police.

Any Police involvement in an investigation will depend on a number of factors, which will take into account the wishes of the individual making the disclosure and the protection of the public. People who have made disclosures must be advised that the Police will be unlikely to bring any prosecution if they are unwilling to speak to them or to make a formal complaint.

Christ Church staff can contact the Police themselves to ask for advice on what action to take. The Police will provide guidance on what information is required in order for the complaint to be investigated.

The Police will share the information with Children's Social Care in order to determine the next steps and to also establish if there is any information available regarding the alleged perpetrator, and the likely risk to children currently having contact with them.

If the individual does not wish to make a formal complaint to the Police for investigation and possible prosecution, they must be informed that the member of staff may still need to share the information with Children's Social Care to

establish if there is any knowledge regarding the alleged perpetrator's current contact with children.

The member of staff should share the allegations with Children's Social Care via Somerset Direct on 0300 1232224. Somerset Direct can be contacted for consultation and discussion, prior to making a formal referral should this be required.

Individuals making referrals to Somerset Direct can do so in confidence if they wish. However, they should be warned that it is still a possibility that the perpetrator will know who has made the complaint.

5.6 Historic abuse allegations that have been previously disclosed and investigated where the alleged perpetrator is thought to be deceased

Staff should not assume that because abuse has previously been disclosed and investigated, it discounts the possibility of a child being currently at risk. The nature of previous investigations and criminal proceedings should be discussed with the individual making the disclosure so that they can be fully aware of what the implications of this may be.

The possibility that any children are currently at risk should be considered with the individual and the results of these discussions must be recorded.

In many circumstances, where allegations have already been disclosed and investigated and there is no evidence of any current risk to children, whether further action is needed should be discussed with the Designated Person if there is any doubt surrounding current safeguarding issues.

When the alleged perpetrator is deceased, staff should still consider whether any others involved in the alleged abuse may still present a safeguarding risk. The results of these considerations must be recorded.

6. **Further information**

The CPS published guidance for the Police on harassment under the Protection from Harassment Act 1997. This can be found at:

http://www.cps.gov.uk/legal/s_to_u/stalking_and_harassment/index.html

The Information Commissioner's Office (ICO) guidance on employment records in its *Employment Practices Code: Supplementary Guidance*, which provides some practical advice on employment retention:

https://ico.org.uk/media/for-organisations/documents/1066/employment_practice_code_supplementary_guidance.pdf

See also the ICO's online 'Guide to data protection' at:

<https://ico.org.uk/for-organisations/guide-to-data-protection/>

Guidance on how to make a referral to the DBS is at:

<https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs>

7. **Policy review**

This policy will be reviewed every three years.