



**CHILD PROTECTION SUPPORT SERVICE  
AND  
HUMAN RESOURCES**

**PROTOCOL FOR DEALING WITH ALLEGATIONS  
OF ABUSE OF A CHILD/YOUNG PERSON BY EA STAFF**

<b>TITLE</b>	Protocol for Dealing with Allegations of Abuse of a Child/Young Person By EA Staff		
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## **1.0 INTRODUCTION**

Employees are critical to the delivery of EA's vision, "to inspire, support and challenge all our Children and Young People to be the best that they can be" and therefore all staff are expected to conduct themselves to the highest standards and to display the EA Values of Equality, Openness, Excellence, Responsibility, Reflection and Respect in carrying out our roles.

There are occasions when concerns arise relating to abuse of a child/young person by EA staff which need to be addressed. The main purpose of this protocol is to clarify the roles of CPSS Designated Officers for Child Protection and HR Employee Relations (ER) Managers or Specialist (Casework) in providing advice to EA Service Managers, School Principals and Board of Governors (BoG) when information is received by either service concerning an allegation of abuse of a child/young person by an EA staff member. The possible risk of harm to children in such circumstances needs to be effectively evaluated and managed and provides effective protection for the child/pupil and at the same time take account of the rights and needs of the person who is subject to the allegations.

Effective use of the protocol will identify the information available to analyse/discuss the circumstances and the basis on which advice is provided to the person or body with the delegated authority and the basis for the decision. The information obtained will also be used for information sharing and reporting purposes with external agencies such as Police Service of Northern Ireland (PSNI), Social Services, Disclosure and Barring Service (DBS), General Teaching Council for Northern Ireland (GTCNI) and Northern Ireland Social Care Council (NISCC). This is to comply with legal and regulatory requirements.

EA also has a duty of care to any member of staff who is subject to an allegation and such matters need to be dealt with in a timely, proportionate considered way that provides effective protection for the child/pupil and at the same time takes account of the rights and needs of the person who is the subject of the allegation. It is therefore important that officers from HR ER and CPSS work collaboratively with the knowledge and experience of both services utilised when such allegations are brought to their attention.

## **2.0 SCOPE OF PROTOCOL**

Although this protocol is primarily aimed at managing allegations of abuse against EA staff<sup>1</sup> it should also be applied when allegations are made against volunteers working within EA services and employees of contracted services. It should also provide a framework for managing allegations of abuse by EA staff in relation to adults at risk or in need of protection.

## **3.0 POLICY FRAMEWORK**

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<sup>1</sup> EA staff includes all school based staff, teachers and non-teaching staff and all other staff employed within EA Directorates. It also includes substitute teachers employed by EA through the Northern Ireland Substitute Teachers Register (NISTR). This protocol does not presently apply to staff employed by other employing authorities e.g. CCMS.

DE Circular 2015/13 “Dealing with Allegations of Abuse against a Member of Staff” provides the framework for managing all allegations of abuse against EA staff who work in schools and EA services. School Principals, EA Service Managers, CPSS Designated Officers for Child Protection and HR ER Manager/Specialist should refer to this Circular when the information shared indicates that a staff member has:

- Behaved in a way that has harmed a child/pupil, or may have harmed a child/pupil. This may be inside or outside of school and may relate to children of their own.
- Possibly committed a criminal offence against, or related to, a child/pupil.
- Behaved towards a child/pupil in a way that indicates he/she would pose a risk of harm if they work regularly or closely with children.
- Behaved in a way that creates a safeguarding concern.
- Abused their position of trust under the Sexual Offences (NI) Order 2008
- Acted outside the Code of Conduct relating to Child Protection. (DE Circular 2015/13 Section 4).

It is recommended that in the first instance all safeguarding concerns in respect of staff should be directed to the EA Child Protection Support Service in order for its designated officers for child protection to determine if any of the above criteria are met.

#### **4.0 PROCEDURE TO BE FOLLOWED WHEN AN ALLEGATION OF ABUSE OF A CHILD/YOUNG PERSON BY AN EA STAFF MEMBER IS RECEIVED BY CPSS OR HR**

- 4.1 CPSS operates a single contact number (028 9598 5590) for its daily helpline service (9am – 5pm) and all calls are initially forwarded to a designated officer for child protection on its helpline rota. Where this designated officer identifies the concern as one involving an allegation of abuse against an EA staff member the caller will be internally transferred to the CPSS designated officer on duty in the CPSS office area in which the school/service is based.<sup>2</sup> If this designated officer is not immediately available the caller will be advised that he/she will contact them as soon as possible. Details will then be e-mailed through to the local CPSS designated officer on duty and an urgent follow up requested.
- 4.2 The local CPSS designated officer will contact the caller as soon as possible and obtain all relevant information as contained in form CPHR1 “Notification of Allegation of Abuse against Staff” (Appendix 1). Where necessary e.g. where information is incomplete the CPHR1 form may be e-mailed to the school or service manager for completion and return by secure e-mail. The referrer should be made aware that the allegation will be managed in accordance with the procedure outlined in DE Circular 2015/13.
- 4.3 In cases where HR is contacted directly by a school or service in relation to an allegation of abuse against a member of staff such a matter should be referred to the HR ER Manager/Specialist. The HR ER Manager/Specialist will obtain relevant information from the referrer and then contact the CPSS helpline and provide the referrer details and

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<sup>2</sup>. Designated officers for child protection are currently based in 5 office areas i.e. Antrim, Armagh, Belfast, Dundonald and Omagh

relevant information obtained. The referrer should be made aware that the allegation will be managed in accordance with the procedure outlined in DE Circular 2015/13.

- 4.4 When an allegation of abuse against staff is received from an external source e.g. Social Services, PSNI, parent, other staff member or member of the public, the matter should be referred to CPSS to obtain all relevant details for recording on the CPHR1. The person sharing the complaint should also be informed that the matter will be managed in accordance with the procedure outlined in DE Circular 2015/13.
- 4.5 Anonymous allegations of abuse by an EA staff member may also be received by CPSS or HR ER. Any available information should be recorded on CPHR1.
- 4.6 When either CPSS or HR ER receive an allegation of abuse against a staff member they must ensure details of the allegation are shared with the local designated officer/HR ER Manager/Specialist in the respective service along with any initial action recommended e.g. where the referrer is asked to obtain additional information. This should be followed by a confirmation e-mail to enable the form CPHR1 to be completed. This form should be filed in accordance with current CPSS records practice or protocols and should be marked private and confidential. This record will be retained in accordance with the guidance outlined in Circular 2015/13 and the current EA disposal of records schedule.
- 4.7 On the basis of the information provided the HR ER and CPSS officers should determine if it is necessary to arrange a joint meeting/discussion with the school or relevant EA manager, the purpose of which will be to examine the facts as they are known at the time including what action has already been taken e.g. a referral to Social Services/PSNI and to consider what further advice/action is required.
- 4.8 In circumstances where an allegation of abuse is against a substitute teacher employed through NISTR, the joint meeting will involve other relevant parties to assist in considering if suspension from the NISTR is appropriate.
- 4.9 Where it is determined that there is no requirement for a joint meeting/discussion e.g. an analysis of the information indicates that the threshold outlined in Section 2 has not been met, the decision and the reasons for it should be recorded on CPHR1. Consideration may also be given to notifying the referrer (if known) of this decision.
- 4.10 Where a joint meeting/discussion takes place relevant information will be shared including if available the CPHR1 form. The local CPSS designated officer will contact the HR ER Manager/Specialist to arrange a meeting/discussion. The timing of this meeting/discussion will depend upon a number of factors such as the nature of the allegation e.g. children may be at risk and urgent action is required. Normally such meetings should take place within one working day of the initial allegation or concern being received. In other exceptional circumstances such as when the referrer has been asked to obtain additional information or a discussion is required with Social Services/PSNI, the joint meeting/discussion should take place no later than 2 working days after receipt of the allegation. Where it is not possible to meet this time-frame the reasons for this should be recorded on form HR1/PS "Precautionary Suspension Consideration".

- 4.11 The relevant EA line manager, school principal or representative must attend the meeting/discussion. Where the allegation is against the school principal the chair of the board of governors or in his/her absence the vice-chair of governors/designated governor for child protection must be invited to participate. The relevant EA Director/Assistant Director will determine which line manager should participate in accordance with levels of delegated authority.
- 4.12 Where a meeting is required it should take place at a location convenient to all parties however where this is not possible the use of suitable technology such as audio or video conferencing should be considered.
- 4.13 The information contained in the CPHR1 form will be considered at the meeting/discussion and the HR1/PS form completed. HR1/PS contains reference to the threshold for significant harm, the grounds for precautionary suspension and the alternatives to it as detailed in DE Circular 2015/13. This should help determine if the allegation requires referral to external agencies (if not already made) or is managed in accordance with EA disciplinary procedures or requires some other / no further action. It will provide evidence of the factors taken into consideration by those present when providing advice/making recommendations as to what action (if any) should be taken in relation to the individual concerned.
- 4.14 When considering all information/advice every effort should be made to reach a consensus. Where this is not possible the decision should be based on the views of the majority and recorded on the HR1/PS form. The views of all parties should be recorded accurately. Where there is a failure to agree upon a course of action or a significant concern regarding the actions it will be necessary for the matter to be escalated to the CPSS and/or HR Heads of Service in order that a decision on an appropriate course of action is taken. Once escalated a decision should be taken within 1-2 working days.

## **5.0 PRECAUTIONARY SUSPENSION AND ALTERNATIVES TO PRECAUTIONARY SUSPENSION**

- 5.1 Where following careful consideration a precautionary suspension or an alternative arrangement is deemed appropriate, advice will be provided to the person or body with the delegated authority to make such decisions. Where the person with delegated authority is a party to the meeting/discussion, a decision can be confirmed and recorded on the HR1/PS form. Levels of delegated authority in respect of precautionary suspensions are as stated in the relevant disciplinary procedures.
- 5.2 Where the school or EA manager participating does not have the delegated authority to implement a precautionary suspension or to agree to an alternative arrangement, he/she should inform the person with such authority. Following consideration the relevant HR ER Manager/Specialist should be informed of their decision which will be recorded on the HR1/PS form.
- 5.3 Where a decision has been made to implement precautionary suspension, the attendees at the joint meeting should inform the Communications Team, to seek a Communications point of contact for any potential media enquiries and also seek advice from other relevant Directorates on any other communication related matters, as appropriate. Any

communication related matters will take into consideration confidentiality as outlined in Section 11 of DE circular 2015/13.

- 5.4 The HR1/PS form when complete will be filed in accordance with current CPSS and HR ER records practice or protocols and marked private and confidential. This record will be retained in accordance with the guidance outlined in Circular 2015/13 and the current EA disposal of records schedule.
- 5.5 Following the meeting, the person with delegated authority must inform the member of staff of the allegation and the outcome of the meeting in accordance with Circular 2015/13.
- 5.6 Where a decision is made to implement a precautionary suspension or alternative arrangements consideration will be given to referral to the appropriate regulatory body by the employing authority.

Where a decision is made to implement a precautionary suspension the procedure as outlined in Circular 2015/13 will be followed. This will include identifying a contact person within the school or service who will provide the member of staff with general information about developments within their setting. In addition the HR ER Manager/Specialist will inform HR Health & Well-being staff who will make arrangements to contact the staff member concerned and sign-post them to relevant welfare support.

- 5.7 Where a referral has been made to statutory agencies in respect of an allegation against a staff member the local CPSS designated officer should make contact with these agencies regularly (for example on a 4-6 weekly basis or more often as decisions are taken) to monitor the progress of the investigation. When invited CPSS officers may participate in strategy meetings or discussions arranged by these agencies. ER officers may also participate in such meetings if deemed appropriate.

## **6.0 REVIEW OF PRECAUTIONARY SUSPENSIONS AND ALTERNATIVES TO PRECAUTIONARY SUSPENSION**

- 6.1 The person or body with the delegated authority must keep the precautionary suspension under regular review as recommended in DE circular 2015/13. In addition any arrangements which have been put in place as an alternative to a precautionary suspension should be similarly reviewed. Should additional information of concern be provided at any stage during this process an urgent review meeting/discussion involving all relevant parties may be convened.
- 6.2 The first review should take place in or around 4-6 weeks of a precautionary suspension or alternative arrangement being implemented and at regular intervals thereafter as decisions are taken, as recommended in DE circular 2015/13. The review should involve the principal/chair of governors or EA manager, local CPSS designated officer and seek advice from HR ER Manager/Specialist. The nature of subsequent reviews will depend upon the progress made in each case e.g. where an allegation remains the subject of a PSNI investigation or is with PPS for a decision then a brief telephone discussion between the parties may be sufficient.



- 6.3 The review will provide an opportunity to consider any new information, monitor progress and provide advice in relation to any further actions deemed necessary e.g. where a concern arises about undue investigatory delay by statutory agencies such a concern should be escalated to the CPSS Head of Service who will formally raise the concern with the relevant PSNI Public Protection Unit Inspector. The review will also provide an opportunity for the school/service representative to report on what support has been offered/provided to the staff member and identify what, if any, further support may be necessary.
- 6.4 Form HR2/PS "Precautionary Suspension/Alternative Arrangement Review" should be completed and serve as a record of the review. The person or body with the delegated authority to review should complete this form and provide a copy to HR ER Manager/Specialist and local CPSS designated officer. This form should be filed in accordance with current CPSS and HR ER records practice or protocols and should be marked private and confidential. This record will be retained in accordance with the guidance outlined in Circular 2015/13 and the current EA disposal of records schedule.
- 6.5 When reviewing a case every effort should be made to reach a consensus in respect of any further actions to be taken. Where this is not possible any decision should be based on the views of the majority present and recorded in form HR2/PS. It will be a matter for the person or body with delegated authority i.e. Principal, Board of Governors or relevant EA manager to decide whether or not to accept any advice for further action. Where there is a failure to agree upon a course of action or a substantial concern regarding any further actions proposed or taken it will be necessary for the matter to be escalated to the CPSS and/or HR Heads of Service in order that a decision on an appropriate course of action is taken. Once escalated a decision should be taken within 1-2 working days.
- 6.6 Where the person with delegated authority is a party to the review then decisions can be made at the meeting/discussion. These decisions should be recorded on the HR2/PS form. Where the person in attendance does not have the delegated authority to endorse any actions e.g. an amendment to or removal of an alternative arrangement, he/she should inform the person with such authority. Following consideration the HR ER Manager/Specialist should be informed of their decision and HR2/PS form should be provided to CPSS and HR ER.

## **7.0 EQUALITY STATEMENT**

This protocol should ensure that all staff, children and young people have the same protection regardless of age, disability, gender, ethnicity, religious belief, sexual orientation or identity. EA is committed to anti-discriminatory practice and recognises the additional needs of children with increased vulnerabilities including those from minority ethnic groups, children with disabilities etc. and the barriers they may face, especially around communication.

## **8.0 DATA PROTECTION IMPACT (DPI) SCREENING**

This protocol has been data protection impact screened and no adverse impact or risk to the rights and freedoms of data subjects resulting from the introduction of this protocol has been identified. Accordingly a Data Protection Impact Assessment (DPIA) is not required.

## **9.0 MONITORING AND REVIEW OF PROTOCOL**

This protocol will be monitored on an on-going basis. It will be reviewed initially after 3 months and thereafter at intervals of not less than once every 3 years. CPSS will also monitor the number of cases.

**NOTIFICATION OF ALLEGATION(S) OF ABUSE AGAINST EA STAFF  
(to be completed by CPSS)**

Please Note: a separate form must be completed for each incident. If an incident concerns more than one young person each young person must be named on the form.

**Part 1 Referrer Contact Details**

Name of Person contacting CPSS/HR:	
Job Title:	
School/EA Service/Agency/Other:	
Telephone Number:	
Email Address:	
Date of Contact:	

**Part 2 Information About The Person Against Whom The Allegation(s) Has Been Made**

Name:	
Sex M/F:	
Date of Birth:	
Job Title:	
Name and Full Address of School/EA Service/Contracted Service where employed:	
Home Address (if known):	
Are there any Children resident at the Person's Home Address:	

If known, please give name(s) and dates(s) of birth:	
Does the Person have any other contact with Vulnerable Individuals (child/adult):	
If Yes, in what capacity:	
Have any Allegation(s) or Concern(s) been made against this Person previously:	
Details of previous Concern(s):	
<b>Part 3 Information About The Allegation(s) Or Concern(s)</b>	
Primary Category of Abuse:	
Nature of Allegation(s) or Concern(s):  Occurred during or following authorised intervention or physical restraint:	
Involves use of mobile phone/ internet/email/social networking site:	
Brief description of Allegation(s) or Concern(s):	
Dates of Alleged Incident(s):	
Where did the Alleged Incident(s) take place:	

Were there any Witnesses:	
If so, please give details:	
Are there any other sources of evidence that need to be considered? (CCTV, Attendance Registers, etc):	
Who reported the allegation(s) and when:	
Outline any initial actions taken and by whom:	

**Part 4 Information About Any Child(ren) Identified**

Name	Address	DOB	Sex

Other Relevant Information about the Child(ren):

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<b>Part 5 Advice Given Including Any Actions Agreed</b>			
HR advice (as appropriate)/CPSS advice e.g. decision joint meeting/discussion not required, including reasons.			
<b>Part 6 Details Of Person Completing This Form</b>			
Name:			
Job Title			
Office Address:			
Telephone Number:			
Email Address:			
Signature:		Date:	