

# School & Social Care Transport - Safeguarding Allegation Procedure

When an allegation has been reported to The School & Social Care Transport Team concerning a driver and/or escort the case against them should be dealt with quickly, professionally and impartially

## ALLEGATIONS / SUSPICIONS OF ABUSE

Allegations are received in a variety of ways. Usually these are:

- Direct complaint by pupil to another staff member/Headteacher.
- Direct complaint from a parent/carer/social worker
- Concerns raised by parties who may have been told about or witnessed abuse.
- Anonymous referral
- Direct complaint to the assessment team or the Police

The designated member of the School & Social Care Transport Team together with the LADO or member of the Schools Safeguarding Team must ensure that all allegations are dealt with in a clear structured manner using a procedure that is professional and impartial.

Initial contact regarding any possible allegation should be made directly to the LADO or member of the Safeguarding Team by the designated member of the School & Social Care Transport Team or other agency as soon as possible and a course of action agreed.

**The Designated Safeguarding Schools Officers are Barry Armstrong and Alison Beasley. The Lead Authority Designated Officer (LADO) is Barry Armstrong**

Contact details:

Barry Armstrong - 01865 815956 or 07795 266750

Alison Beasley - 01865 323457 or 07833 436649

No allegation should be investigated without consultation with the LADO or member of the Safeguarding Team. Attempts to do so could seriously hinder any further investigation and reduce professional impartiality.

After consultation, the designated member of the School & Social Care Transport Team/Agency will ideally obtain details of the allegation in writing, signed and dated by the person receiving the allegation.

At the time of discussion with the LADO or member of the Safeguarding Team, a view will be sought in relation to the risk to children from the alleged perpetrator and also to consider suspension and removal of Oxfordshire County Council's Approved Badge of the driver and/or escort.

- At this point, consideration will also be given to informing the appropriate district licencing authority in order for them to consider suspension of a taxi licence. Please note the requirement to share information with licencing authorities for the purposes of safeguarding children is covered by the information sharing protocol through the Oxfordshire Childrens Safeguarding Board (OSCB)

The LADO or member of the Safeguarding Team will liaise with the Police/Social Care if it is deemed appropriate and will keep the designated member of the School & Social Care Transport informed of the situation.

**There should be no time delay and care should be taken to maintain confidentiality as in child protection procedures.** The designated member of the School & Social Care Transport Team should not commence an investigation before agreement is reached with the LADO or member of the Safeguarding Team.

It should be stressed that all matters relating to allegations are dealt with in conjunction with the LADO and Childrens Safeguarding Team. Confidentiality is essential. Information should be shared on a "need to know "basis only. All documentation should be carefully stored.

The member of the School & Social Care Transport team will discuss their understanding of the situation with the LADO or member of the Safeguarding Team including issues such as the context of the allegation and previous concerns about the member of staff or pupil. Following this discussion the level of concern will be determined in consultation with representatives from the police if it is deemed appropriate. This may lead to a strategy meeting being convened involving a police officer, LADO or member of the Safeguarding Team, the member of the School & Social Care Transport Team, a representative from the Transport provider if appropriate, and possibly a social worker from Childrens Social Care.

## **POSSIBLE ACTION FOLLOWING AN ALLEGATION**

### 1. No further action

The designated member of The School & Social Care Transport Team will communicate this outcome to the Transport Provider.

Where there are concerns that the allegation may be false or malicious, consideration needs to be given as to the issues that the pupil may be facing, and the appropriate professionals will be informed.

The designated member of the School & Social Care Transport Team will Inform (verbally and in writing) the Transport Provider, driver and/or escort that an allegation has been made and that no further action will be taken.

The designated member of the School & Social Care Transport Team will place a document on the file giving reasons for the conclusion and that the allegation is without foundation and stating the action taken (as above). The document will state clearly that the driver and/or escort have been exonerated and consideration of disciplinary proceedings is not necessary.

Consideration must then be given to what action is required to avoid a repeat of the allegation i.e. if transfer of the driver and/or escort to an alternate transport route is appropriate.

In some situations the designated member of the School & Social Care Transport will carry out specific courses of action as directed by the LADO or member of the Schools Safeguarding Team which may assist in the prevention of similar situations occurring.

## 2. Possible inappropriate behaviour

The designated member of the School & Social Care Transport Team will check corroborative evidence and discuss with the LADO or member of the Safeguarding Team.

The designated member of the School & Social Care Transport Team together with the LADO or member of the Safeguarding Team will discuss the credibility of the person making the allegation.

The LADO or member of the Safeguarding Team and Police will agree that this matter falls into the category of inappropriate behaviour as opposed to child protection and will inform the designated member of the School & Social Care Transport Team.

The alleged perpetrator should then be interviewed by the Safeguarding Officer and the designated member of the School & Social Care Transport Team.

Full notes should be taken during the meeting and kept within the file.

On conclusion of the investigation a report should be produced (which remains confidential) with recommendations in relation to future action. A copy of the investigation report should be sent to the LADO or member of the Safeguarding Team.

On consideration of the report the designated member of the School & Social Care Transport Team will write to the driver and/or escort involved informing them of the outcome of the investigation, and will either return the driver and/or escorts Oxfordshire County Council Approved Badge, remove it permanently or place restrictions upon the type of work the driver and/or escort may undertake on behalf of Oxfordshire County Council, depending upon the conclusion of the investigation as directed by the LADO or member of the Safeguarding Team.

In some situations the designated member of the School & Social Care Transport will carry out specific courses of action as directed by the LADO or member of the Safeguarding Team which may assist in the prevention of similar situations occurring.

3. Where an investigation is likely to follow child protection/criminal process:

Where there are marks/bruising to a pupil, complaints of assault or concerns of a sexual nature then there is a strong possibility that this will be treated as a child protection referral. In such circumstances swift action is vital.

A child protection investigation or criminal process will need an initial investigation by the Police or Social Care Assessment Team or a joint investigation.

Any such investigation takes precedence over any action taken by the designated member of the School & Social Care Transport Team. The designated member of the School & Social Care Transport Team should not commence any action or investigation unless specifically directed by the LADO or member of the Safeguarding Team or Police/Social Care.

The investigation will be undertaken in line with Oxfordshire Child Protection procedures, which may include a strategy meeting or strategy discussion including relevant parties.

**Details of the complaint must not be discussed with the Transport Provider or driver and/or escort.** The designated member of the School & Social Care Transport Team should ensure that confidentiality is maintained at all times.

**The alleged driver/escort etc. should not be interviewed or asked to make a statement.**

On completion of the Child Protection investigation there could be a review meeting between Police, LADO or member of the Safeguarding Team, and the designated member of the School & Social Care Transport Team to share findings.

4. Safeguarding/inappropriate behaviour or procedural investigation where allegations have been made, that do not fall into a child protection or criminal category but where actions have been considered inappropriate (e.g. use of foul language or breach of Driver and Passenger Assistant Guidelines). This may lead to a safeguarding investigation, involving a member of the School and Social Care Transport Team and the Safeguarding Team.

In the event of any investigation in category 1, 2, 3 or 4 a driver or escort's access to any OCC contract will be suspended without prejudice pending an outcome of any investigation.

Substantiated allegations may result in the prosecution of the alleged perpetrator, or other formal action such as permanent removal of access to OCC contracts.

## **RECORDS**

The designated member of the School & Social Care Transport Team should retain records of the investigation including statements in a secure and confidential system.

Where a pupil has made an allegation, a copy of the statement or record made of it must be kept.

January 2013