



Useful resources for conducting

safeguarding investigations

This information is provided for guidance only.

**Conducting a safeguarding investigation**

[Conducting a safeguarding investigation | Croner-i (croneri.co.uk)](https://app.croneri.co.uk/feature-articles/conducting-safeguarding-investigation)

This article provides a clear and concise overview of the investigation process and things you may wish to consider.

**ACAS’ guide to conducting workplace investigations**

[conducting-workplace-investigations.pdf (acas.org.uk)](https://www.acas.org.uk/sites/default/files/2021-03/conducting-workplace-investigations.pdf)

This offers a more detailed version of the information contained in the above article

ACAS also have a variety of templates which may be of use:

[Investigation plan and report templates | Acas](https://www.acas.org.uk/investigation-plan-and-report-templates)

[Working together to safeguard children - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2)

[Keeping children safe in education - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2)

Interviewing children and young people

Questioning of children needs to be sensitively handled. A child should not normally attend a hearing in front of a panel. All meetings should be in comfortable familiar settings with familiar adults present. These can be identified by the child, or the parent/carer in discussion with younger children (and maybe teacher).

The purpose is to find out what happened. It is not to ask a child what they thought or felt and to have their information verified by other sources eg other children, adults etc. The child should not be told who else will be approached as this could affect the quality of their replies.

For certain age ranges, it is preferable for the investigating officer to be a senior teacher, or for a senior teacher known to the child to be present/observing. The presence of a recognised authority figure may lead to a more considered response from young people.

It is important that the investigating officer has appropriate skills for interviewing younger children, and training for investigating officers is essential.

A record should be made of:

what was asked

who was present

the responses (in the child's own words)

the date, time and length of the interview

Depending on the child’s age, they should be allowed to read and sign a copy of the evidence. For younger children, their parents/guardians could sign to agree that this was what their child said. If a parent disagrees with what is recorded, the investigating officer can record the disagreement.

If a parent raises concerns about the procedure the investigating officer can record these. If the parent wishes to complain about the procedure the headteacher or other appropriate senior manager can make a judgment on whether it was followed correctly.

It is important that the child knows that the investigator will take their comments seriously. They should be given reassurance that they should not feel guilty and should be told what will happen as a result of them being interviewed. Reassure them that nothing will be held against them for having reported the incident or what they saw or heard etc.

**Points to consider**

Interview each child individually.

Try to remove all contact with other children until all interviews have been completed.

Do be accessible and receptive

Listen carefully and ask open questions to clarify (e.g. who, what, when, here,

how). Open questions/statements include:

would you like to tell me what happened?

can you tell me where/when this happened?

would you like to tell me who was involved?

can you tell me what happened next?

is there anything else you would like to tell me?

thank you for telling me this, but you do realise that I will have to do something about it.

Don’t lead the child eg don’t start the interview by saying you are looking into an incident with X in the IT suite – start by asking when the child was last in the IT suite and what they were doing in there. Then establish if they can remember who else was there, and if necessary whether X was there. If they can/can’t remember, ask how they can be certain of this ie what happened to make them remember that X was/wasn’t there.

Don't ask leading questions:

was it your teacher/coach/friend that did this to you?

are you sure that's what happened?

why did you let them do that to you?

why do you think this happened?

I expect you must be very upset about this.

Younger children may prefer to talk and draw at the same time or even do a drawing of what happened and talk it through.

Diagrams may be used where appropriate e.g. to clarify statements.

At the end of the meeting the adult should go through what has been said or written (in a way respectful of the needs and understanding of a child), allowing them to make any extra comments or change things. The written record should be made in the child’s own words, and the parents/carers will need to know that a copy of the statement/notes of the child’s evidence will be made available to the relevant people, including the accused employee. They should be prepared for the fact that you must involve others, and that they may be interviewed by other people. At the end, the child should be asked if they are happy with what has been written.

It is important that the investigating officer reports all suspicions or disclosures immediately to the school or the LA.

**TEMPLATE FOR A SAFEGUARDING DISCIPLNARY INVESTIGATION REPORT**

**PRIVATE & CONFIDENTIAL**

**……School**

**INVESTIGATION REPORT**

*SCHOOL LOGO*

**Investigation into…..**

**Investigating officer/s:**

**[name] – [title]**

**[name] – [title]**

**Date**

1. **Introduction**

This report has been compiled following … (eg a parental complaint) which was investigated under the School’s Code of Practice on the Conduct of Investigations (Appendix A) and the School’s Disciplinary Procedure (Appendix B). delete if not appropriate. The investigation was commissioned by (*insert name/role*).

The allegation(*s*) investigated were (*insert name*), specifically:

(*insert allegations*).

If the allegation(*s*) is/ are substantiated then such behaviour would contravene the School’s Code of Conduct (Appendix C) and (*insert others as appropriate e.g. Teacher Standards, Behaviour Policy and include as appendices*).KCSIE etc

1. **Background**

*Insert background details of school/children etc.*

(*Name*) is employed as (*post/grade/hours*). (*Name*) has been employed at the School since (*date*). His/her job description is attached as Appendix E.

*Insert:*

* *Specific duties that the employee undertakes*
* *Background to the allegations - how the allegation was made, by whom*
* *Steps taken – whether employee suspended etc*
* *LADO/police involvement/strategy meeting*
* *Reference to the relevant school policies/standards*

**2.1 Code of Conduct**

The Code of Conduct sets out the expectations and requirements for employees working in the school. Failure to comply with it may result in disciplinary action being taken.

The section(*s*) that relate to the allegation(*s*) are:

*(insert).*

**2.2 Other policy e.g. Teacher Standards, Behaviour Policy**

*Insert details of policy and relevant section*

The section(*s*) that relate to the allegation(*s*) are:

*(insert).*

1. **Process Undertaken**

The investigation sought to gather information and facts regarding the allegation(*s*).

In order to investigate fully interviews were held with:

* *Insert date/name/post title/accompanied by/Appendix*

Specialist advice was sought from:

* *Insert as appropriate e.g. HR, Safeguarding, Equalities Team, School Improvement*

*Insert any reasons for any delays to the investigation and process of keeping parties informed.*

1. **Reference Material**

*Insert e.g:*

* *Notes of meetings (between individuals, team meetings etc)*
* *Relevant correspondence*
* *File material (e.g. performance management, letters, minutes of meetings)*
* *Any other material considered during the investigation*
* *Management information*
* *Relevant school policies and procedures*
* *Relevant DfE guidance e.g. Keeping Children Safe in Education*
* *CCTV*
* *Relevant child information e.g. care plan, intervention plan, child plan*
1. **Investigation Findings**
* *Detail information on the substance of each of the allegations under consideration.*
* *Clearly state the reasons/factual evidence for determining why the panel have reached their conclusions.*
* *For complex and/or lengthy investigations refer to witness statements and conflicting/supporting evidence.*
* *Any issues of consistency/inconsistency*

*The table below may be a useful tool to help in evaluating the evidence against the allegation(s) – not to be included in the report*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Allegation(s) | Evidence of perpetrator | Evidence of Witness(es) | Any corroborating evidence | Finding |
|  |  |  |  |  |

**7.      Other Issues considered by the Investigating Panel (*if applicable*)**

**8. Any explanation / Circumstances offered in mitigation**

 There were no explanations offered in mitigation by (*name*).

 **OR**

 (*Name*) offered the following explanations in mitigation (*insert*).

9. **Conclusions (based on the balance of probability)**

* *Is there a case to be answer?*
* *Determine an outcome against each allegation*

*In line with the DfE guidance Keeping Children Safe when determining the outcome of a child protection allegation the following definitions should be used:*

1. ***Substantiated****: there is sufficient identifiable evidence to prove the allegation;*
2. ***False:*** *there is sufficient evidence to disprove the allegation;*
3. ***Malicious:*** *there is clear evidence to prove that there has been a deliberate act to deceive and the allegation is entirely false;*
4. ***Unsubstantiated:*** *there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence;*
5. ***Unfounded:*** *there is no evidence or proper basis which supports the allegation being made, or there is evidence to prove that the allegation is untrue. There is the possibility that the allegation may be malicious, but it might also indicate that the person making the allegation had misinterpreted the incident or was mistaken about what he/she saw, or was not aware of all the circumstances.*

**10. Code of Conduct**

* *Has the behaviour contravened the School’s Code of Conduct? See Section 2.1above.*

**11. Other policy e.g. Teacher Standards, Behaviour Policy**

* *Has the behaviour contravened the e.g. Teacher Standards? See Section 2.2 above.*

**12. Recommendations**

*Insert recommendations e.g.:*

* *Disciplinary hearing to be convened (NB recommendations on appropriate sanctions or penalties should not be made)*
* *Areas for management action identified during the investigation.*

**Appendices**

|  |  |
| --- | --- |
| Appendix A | Code of Practice on the Conduct of Investigations |
| Appendix B | School’s Disciplinary Procedure |
| Appendix C | School’s Code of Conduct |
| Appendix D | E.g. Teacher Standards |
| Appendix E | Job Description |
| Appendix F | Statement of …. |
| Appendix G | Statement of….. |
| Appendix H | Statement of…… |
| Appendix I | DfE Guidance Keeping Children Safe |

Etc…..