

Child M - The Importance Of Governing Bodies Of Schools Seeking And Following Appropriate Advice In Relation To Safeguarding Children

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1 Summary of the circumstances

This case highlights the importance of Governing Bodies of schools seeking and following appropriate advice in relation to safeguarding children.

In this case Child M's father raised concerns about his son, who was now in secondary school, having regular contact with the head teacher from his primary school at the head teacher's home. The father was very clear that he wanted this to stop. Child M's parents were separated and his mother regarded the head teacher as a friend and did not share these concerns and so was happy for the contact to continue. There were no allegations against the head teacher, but it was recognised that having contact with a child when one parent is specifically not wanting this to happen is unprofessional. Therefore, the head teacher was requested not to have unsupervised contact with Child M unless he had express consent of both parents. When he did not fully comply with this request the father contacted the Local Authority Designated Officer (LADO). There was investigation by the Governors who sought advice from North Yorkshire Senior Human

Resources Advisor and the outcome was that a formal management advice letter was sent to the head teacher.

The letter stated "do not put yourself in a position where you could be alone with any child outside of the school environment without the express permission of all legal guardians of that child". The head teacher initially accepted this recommendation, but several months later appealed this decision. The Governors held an appeal panel which did not comply with guidance. They did not inform either the LADO nor the Senior HR Advisor who had given the original advice. Within this appeal panel they revoked the previous management advice.

Several years later Child M made allegations which were upheld in court that he had been sexually abused by the head teacher.

A rapid review of the case has been completed which highlighted specific concerns relating to governance and the role of governing bodies in meeting their statutory safeguarding responsibilities.

2 Tasks and challenges to the case

The tasks and challenges in this case were complex for a number of reasons, these included:

- The head teacher establishing a relationship with a former pupil with the consent of the child's mother.
- Thresholds for escalation of action not being reached based on information disclosed and known at the time.
- The head teacher persistently ignoring advice from professionals regarding not placing himself in a position where he could be alone outside of the school environment without the express permission of all legal guardians.
- Continued concerns being raised by the father, who did not consent to further contact between the head teacher and child.
- Lack of maintenance of professional standards and challenge by the Governing Body to enforce recommendations from the LADO and other professionals.

3 Actions taken by agencies and professionals

The case was raised to the LADO on three separate occasions. Based on LADO procedures, information and advice was shared as the case did not meet the threshold for further action.

The governors initially followed LADO advice and guidance and sent a letter to the head teacher stating that he should refrain from meeting and being alone

with children out of school without the express permission from all parents/legal guardians.

In the initial stages there was evidence of agencies working together appropriately; however, once other agencies had withdrawn, shortcomings in the continued management of the case began to occur.

4 Responses to the actions undertaken

Following concerns raised by the child's father to the LADO on the third occasion, the LADO contacted the Chair of Governors who did not address these concerns and so the LADO spoke directly to the head teacher to advise him not to have the child at his home, to which the head teacher agreed.

The Governing Body later removed the management instruction that had been placed on the head teacher regarding contact with pupils outside of school.

Governors did not take appropriate advice or share their decision to retract their earlier decision and the management advice letter with the LADO or Human Resources. There also does not appear to have been any monitoring arrangements put in place by the Chair of Governors following the incident.

5 Outcome of the case

Following the child coming to the attention of services over a year, a disclosure was made of sexual offences by the child's former head teacher. The head teacher was arrested and subsequently charged with child sexual abuse offences.

The NYSCP Complex Abuse procedure was initiated to manage the multi-agency response. The former head teacher was subsequently sentenced to a significant period of imprisonment.

6 Key Learning Points

Working with parents - the importance of working with both parents especially when they are separated, ensuring they have the opportunity to have an equal voice.

Responsibilities of Governing Bodies - Governing Bodies of schools need to know and understand their safeguarding responsibilities to ensure there are clear processes that mean any concerns, unusual practice or malpractice recognised in schools are always escalated beyond school to appropriate services within NYCC (i.e. Human Resources, LADO, School Improvement, Multi-Agency Safeguarding Team, MAST).

Whistleblowing - Ensure all school staff have the confidence to raise concerns regarding any member of the school staff, including the leadership team. They need to be confident in how to follow whistleblowing procedures when required. There needs to be clear mechanisms in place where staff can share concerns without being blocked by a member of the Senior Leadership Team (see [NYSCP Guidance](#)).

Disciplinary Procedures - When restrictions are placed on a member of school staff:

- There need to be clear mechanisms in place through which these are monitored and clear advice of the steps that need taking if the restrictions are breached.
- If a Governing Body is provided with advice by NYCC Services, LADO or the Human Resources Department and there is a decision not to adopt or to deviate from the advice, this should be risk assessed and the outcome of the assessment shared with the North Yorkshire County Council Services who provided the advice.

Professional curiosity and challenge – Chairs of Governors and Governing Bodies should have the communication skills to explore and understand what is happening rather than making assumptions or accepting things at face value. This includes having professional challenge and respectful uncertainty (see [NYSCP Practice Guidance on Professional Challenge](#) and [Keeping Children Safe in Education](#))

7 Next Steps and Resource

[Keeping Children Safe in Education Section One](#)

[LADO Procedure & One Minute Guide](#)

[Professional Curiosity Practice Guidance](#)

[Whistleblowing Practice Guidance](#)

[Governance Handbook Section 6.8.2](#)