

.....

Anonymity for teachers accused by or on behalf of pupils

Important Information

Legislation:

Section 141F of the Education Act 2002 as amended by Section 13 of the Education Act 2011 came into force on Monday 1 October. It is now an offence to report information that could lead to the identification (e.g. name or school) of a teacher who is subject to an allegation of a criminal offence made by, or on behalf of, a registered pupil at the school. Any publication of such an allegation that identifies the teacher involved before they are charged with a criminal offence will be in breach of the restrictions.

When are the restrictions in place?

Such restrictions would remain in place unless or until the teacher is charged with a criminal offence, a warrant for arrest is issued, the accused goes public themselves, or until the Secretary of State publishes information about an investigation or decision in a disciplinary case arising from the allegation.

There is a mechanism for any person to apply to the court for a direction lifting the restriction if it would be in the interests of justice to do so. If the police feel that there is a public interest in certain circumstances for a suspect's identity to be disclosed prior to charge they can apply to the court to have the restrictions lifted.

What does a publication include?

'Publication' includes any speech, writing or other communication on whatever form which is addressed to the public at large or any section of the public. These restrictions therefore prevent pupils, parents and the media from publicising allegations prior to a criminal charge being made and are also intended to prevent postings on websites.

What do I need to do?

It is extremely important that when an allegation is made against your Teaching staff you make every effort to maintain confidentiality. If any enquires are made with your School by the press or parents following an allegation please respond with: *I am not able to comment on enquiries like this - for any further information please contact the Council's press office on 0300 300 8701 during office hours or for advice outside of office hours contact 07875 430164.* The Council's press office is aware of this legislation and they will be able to provide you with appropriate advice



and make contact with the HR Statutory Services team who will liaise with the Council's LADO and your HR provider.

Further guidance:

Statutory guidance which includes information on the above has been issued from the Department for Education on dealing with allegations of abuse against Teachers and other staff and this is being adopted by Central Bedfordshire Council.

Actions required by Headteachers:

Please make sure that your Chair of Governors and Office Manager are aware of this legislation and of the Council's press office contact number, 0300 300 8701 during office hours or 07875 430164 at any time.

Please make sure your safeguarding policy and any communication policies you have are updated to include reference to this new legislation.

If you have any queries regarding this information please do not hesitate to contact the Council's Statutory Schools HR Manager or your HR provider.

