

Coping with Allegations

Supporting you
to be your best



**Education
Support**
Partnership

What are allegations?

An allegation is defined as 'a claim or assertion that someone has done something illegal or wrong, and is typically made without proof'. In the education sector, the most common type of allegations are made by a student or parent against a teacher or member of staff.

Examples of allegations could include:

- ▶ an inappropriate relationship with a student
- ▶ inappropriate language used with students
- ▶ physically inappropriate behaviour (e.g. being overly affectionate/hugging or being overly punitive, forceful/aggressive)
- ▶ overly aggressive tone with students when angry or frustrated
- ▶ references to past behaviour from a previous student
- ▶ child neglect (leaving a child unattended)
- ▶ discrimination on the basis of race, gender or sexuality
- ▶ not following processes (e.g. not documenting details of child protection concerns)
- ▶ concerns relating to performance (which are often not formalised)

Emotional Impact on the Teacher/Staff Member

Allegations often result in immediate suspension pending an investigation, and the individual may be given very little information about what the allegation is or how long the investigation process may take.

Common emotional responses teachers may feel include:

- ▶ fear
- ▶ anxiety
- ▶ shame
- ▶ confusion
- ▶ uncertainty
- ▶ depression or sadness
- ▶ anger
- ▶ isolation
- ▶ mistrust
- ▶ powerlessness
- ▶ failure
- ▶ feeling trapped
- ▶ lack of confidence or feeling devalued
- ▶ feeling as if there's little hope

Once suspended, employees are often advised not to contact colleagues. For teachers whose workplace is their main place of social interaction, this can then leave the accused feeling very isolated at a vulnerable time.

Allegations and suspension can also be very shaming, which can compound matters and make it hard for the individual to seek support.



Legal Position

Most employers provide rules for their employees regarding conduct, either in the contract of employment or in an employee handbook. All employers should have procedures in place for following up on allegations.

All allegations made against a teacher or member of staff need to be investigated as soon as possible in a fair and consistent way. Existing procedures should make it clear that all allegations need to be reported straight away (i.e. the same day), normally to the head teacher (or another designated individual or administrator in their absence). An initial assessment of the facts should be made and witnesses sought. The local authority should also be involved and their contact information needs to be made available to all parties.

When considering how to respond to allegations, employers and head teachers must bear unfair dismissal legislation in mind. Employers are required to act reasonably when dealing with disciplinary issues and to set out the conduct that may lead to a disciplinary or potential dismissal when they initially

consult with the employee. Employees should be aware that as of 2012, the qualifying period for unfair dismissal claims has increased to two years of service.

Procedures need to provide effective protection for the child during the investigation and also support the person who is the subject of the allegation.

In some cases, students may make false or malicious allegations, which aim to cause harm to a teacher. Schools will have their own policies about student conduct, and pupils making untrue allegations are likely to face consequences when breaching school behaviour policies.

Guidance and rules for how cases of allegations are managed in an education setting – both for the protection of children as well as the employee's rights – are set out by the Department for Education and supporting legislation (such as Schedule 2 of the Employment Act 2002; The Children Act, 2004; and the Education (Independent School Standards) (England) Regulations, 2010).

Coping Mechanisms

Coping with an allegation of any kind is stressful and frightening. The levels of stress can cause the accused to lean towards unhealthy coping mechanisms (such as drugs and alcohol). A better approach would be to:

1. Maintain perspective

It's important to regard the allegation as a problem to work through, not a matter of life and death (though it may feel like it). Write a gratitude list every day to remind you of the things you appreciate beyond your job (on difficult days, this could be as basic as having a warm bed to sleep in). Work on keeping busy in the hours between getting up and going to bed.

2. Focus on facts

Keep to the facts of the situation as they are revealed to you, and recognise that you are in a process that is largely outside of your control. What action can you take or do you need to take? Do you need to call your union or seek legal advice? Do you need some emotional support to talk things through? Do you need to respond to a letter or ask the school or Local Education Authority (LEA) for more information about the process you are in? What do you know about the allegation made about you?

It may help to write everything down from your perspective. This way, as the process unfolds, you have the facts as you know them to be. Put this in a safe place and leave it alone (you can add to the list if you remember anything else later). This may stop your mind overanalysing the situation.

3. Seek outside support

It is very important not to go through this alone. Find ways to break the isolation, which can undermine your ability to cope. Widen your support network, and talk to trusted people – this could be friends and family, a professional, spiritual or religious leaders, or an independent support organisations (several are listed at the end of this article). Turning to others can provide you with not only reassurance, but also alternative perspectives.

4. Build new routines

Suddenly finding yourself without your usual routine of work can leave you feeling lost and with a lot of time to fret about the situation. Getting a new routine in place is very important, no matter how simple. Undertake small tasks or activities to keep you moving day by day. Exercise can be extremely beneficial – the release of endorphins relieves anxiety and can help you to feel more positive about yourself and the situation. Sleeping can also be difficult at times of stress, so make sure you're getting enough rest and consider seeing a doctor if this is proving impossible.

5. Gain control

Focus on what you can do and let go of the rest. Keep things simple. Avoid projecting and imagining an uncertain future. Keep to the facts. Though tempting, avoid searching online for similar stories. Reading about people whose circumstances are not the same as yours can increase fear and anxiety.

6. Take care of yourself

It's really important to have compassion for yourself in difficult situations. Find healthy ways to soothe and nurture yourself. Take walks, practice yoga, try gardening, meditate or start a new hobby. Both gentle exercise like swimming or energetic workouts like Zumba can all be helpful distractions. Prepare nurturing food (even if you don't feel like it). Get enough sleep! At the very least, lie down in a dark room and close your eyes. If you have a pet, they will enjoy more playtime and attention from you, and reward you with their affection!

7. Be proactive

Avoid sitting for long periods thinking things over. Do something positive. This could be as simple as clearing out your clutter or polishing your shoes. The allegation can leave you feeling bad about yourself and taking positive action can be an antidote to that negativity by creating a sense of productivity and achievement.

8. Avoid addictive substances or behaviours

Alcohol, drugs, comfort eating, gambling, retail therapy and unnecessary spending may give temporary relief, but can make the problem worse in the long run. These vices can also fuel anxiety and guilt once the short-term rush wears off.

9. Use positive self-talk

Remember that all things pass and this situation will be resolved one way or another. Positive self-talk and affirmations are important to carry you through. When you find yourself thinking negatively about how you are coping or how you will survive this, ask yourself 'how does this serve me?' If those thoughts are not helping, replace them with more positive alternatives, such as 'this is difficult right now, but it will pass and I will survive.' Remind yourself that you have come this far in life and have encountered difficulties before. What did you do then that helped? What knowledge could draw on now?



Emotional Support

Education Support Partnership

England: 08000 562 561

Wales: 08000 855 088

www.educationsupportpartnership.org.uk

In addition to a 24/7 support line, there is also a website with a multitude of articles on wellbeing and mental health that you might find useful (click on Life Guides in the Resources menu).

Samaritans

08457 90 90 90

www.samaritans.org/how-we-can-help-you/contact-us

Samaritans provide telephone support 24 hours a day, 365 days a year. They are an impartial, non-critical and confidential helpline that you can lean on during any troubling times.

TES Website

www.tes.co.uk

This site lets you register for free and participate in forums specifically geared towards teachers.

MIND

0300 123 3393

www.MIND.org.uk

In addition to the helpline, the MIND website has some useful self-help sheets on managing stress, anxiety, sleep disturbance.

In addition to the organisations listed above, you might consider:

- ▶ structured counselling for ongoing support throughout the process and maybe beyond;
- ▶ your GP
- ▶ leaning on friends and family

Workplace Options (2015, June). Coping with allegations. London: Author.

Disclaimer: This document is intended for general information only. It does not provide the reader with specific direction, advice or recommendations. You may wish to contact an appropriate professional for questions concerning your particular situation.

Practical Support

1. Contact your union

This is critical in this type of situation.

2. Not a member of a union?

If you are not a member of a union, then contact ACAS (The Advisory, Conciliation and Arbitration Service), on 0300 123 1100 or via www.acas.org.uk

They can advise on employees' rights and responsibilities in regards to the processes for suspension, allegations and so forth.

3. Seek independent legal advice

Again, only if you do not belong to a union as they will be able to provide this for you.

Get Support

08000 562 561

support@edsupport.org.uk

Education Support Partnership

40A Drayton Park

London N5 1EW

**Supporting you
to be your best**



**Education
Support**
Partnership