TRANSCRIPT OF "FILE ON 4" – "TEACHERS"

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PRODUCER: Samantha Fenwick

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THE ATTACHED TRANSCRIPT WAS TYPED FROM A RECORDING AND NOT COPIED FROM AN ORIGINAL SCRIPT. BECAUSE OF THE RISK OF MISHEARING AND THE DIFFICULTY IN SOME CASES OF IDENTIFYING INDIVIDUAL SPEAKERS, THE BBC CANNOT VOUCH FOR ITS COMPLETE ACCURACY.

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O'HALLORAN: Tonight - the danger faced by teachers as they struggle to keep order in our schools.

SUNDERLAND: I've been injured, I've been kicked. The language was just appalling. He was going to burn my car and find out where I lived and set fire to my house. I was really quite upset that there were other members of staff there who just stood there and ignored the bad behaviour.

O'HALLORAN: She did intervene, with physical force, but her decision was to cause years of suspension and stress and ultimately her departure from teaching. File on 4 has learned that the careers of hundreds, perhaps thousands of teachers, are being needlessly blighted or destroyed. Even an apparently minor physical intervention can lead to a teacher facing a long drawn out and flawed disciplinary process. And often teachers say they're treated as guilty until proved innocent. Now a Commons committee is to start an urgent investigation.

SHEERMAN: It is the most damaging, damaging thing that can happen to a human being. Especially when this feeling of injustice, you actually haven't done anything wrong. Many teachers are being very shabbily treated and I want to get to the bottom of it.

2

SIGNATURE TUNE

ACTUALITY OF JUDI SUNDERLAND WITH GRANDCHILDREN

O'HALLORAN: At her home in Bradford Judi Sunderland plays with

her grandchildren.

CHILD: Can we play again?

SUNDERLAND: Yes.

CHILD: Yes!

O'HALLORAN: She's got plenty of experience with kids. She spent over thirty years as a full time teacher. In 2003, she took up a new job at a secondary school in Bradford, Immanuel Community College. One December day she was chatting with a visitor when she heard a commotion in the corridor. She went out to find a boy of about 14 arguing with an assistant. Judi Sunderland quickly intervened to tell the boy to do as he was told.

SUNDERLAND: His response was to slide down the wall and kick out at me, so I stepped back. So again I asked him would he please do what the support, teaching assistant had asked him to do, so would he please do that or go into my office. His response to that was to tell me to eff off, although there was a whole string of abusive language, and as he said that, he kicked me and tried to run past me. As he was going past me, I took hold of him from behind in a bear hug, which is a standard restraint procedure, because I had no idea what he was going to do, and he just kicked me and he was clearly out of control. He struggled violently and ended up on the floor. By this point there were several other children around, saying, 'Go on, hit her, we'll be your witness, I'll be your witness, go on, get her.'

O'HALLORAN: After some more struggling, she manoeuvred him into her office, and order was restored. A few days later she was called to see the head teacher.

SUNDERLAND: The head said things were looking very bad for me because she had two adult witnesses and things were looking very bad. And she was instructing me to not deal with any incidents in the corridor, and the police were involved. The boy had alleged that I had come out of my office, I'd grabbed him by the throat and slammed him against a wall. I'd then thrown him onto the floor and put my knee in his back like they do in the police movies, in Starsky and Hutch.

O'HALLORAN: Had you done any of that?

SUNDERLAND: No.

O'HALLORAN: Traumatised by the incident, she went off sick before later being suspended. Around that time an OFSTED report on the school highlighted bad behaviour by pupils in classrooms and corridors. Three months later, after a police investigation, Judi Sunderland was charged with assaulting the boy. It was a further sixteen months before her case came to court in June 2005. But then the Crown Prosecution Service offered no evidence and the judge told her she could leave with no stain on her character. The West Yorkshire Chief Crown Prosecutor, Neil Franklin, admits his team should have known long before then that there was no realistic prospect of a conviction.

FRANKLIN: It was certainly the case that when the defence served upon us a medical statement, it was clear that the explanation provided by the victim as to how he got his injuries was not supported by that medical evidence.

O'HALLORAN: So are you saying the boy in this case who alleged the assault, that his evidence didn't really appear to be satisfactory?

FRANKLIN: I can say about his evidence that it was undermined and contradicted by a number of sources. For instance, it was his case that at no stage did he swear or kick out, but witnesses were adamant that he was swearing and was kicking out. So his evidence was perhaps from the start always to be treated with great deal of circumspection. You can adduce evidence in a criminal trial of what is called bad character. The basis of that evidence obviously was to suggest that there were other occasions when there had been serious misbehaviour, involving aggressive conduct.

O'HALLORAN: So concerned was the Chief Prosecutor about the long ordeal suffered by Judi Sunderland that he even contacted the education authority to say why he found the evidence against her so unsatisfactory.

FRANKLIN: My anxiety was to nail down fully how far short I thought this case was from being one which could be prosecuted – it was a long way short and I was anxious to ensure that that information was shared, and I saw no reason at all why the local authority should not be aware that that was my view of that case, and that's why I wrote to them.

O'HALLORAN: Even though the school was about to mount its own disciplinary process against her, Judi Sunderland felt that with the collapse of the court case she could now breathe a sigh of relief.

SUNDERLAND: Thank goodness for that, I've had eighteen months of hell. Please have an internal investigation, because I didn't do anything wrong and now the CPS have said that I didn't do anything wrong, so please have an internal investigation. Bearing in mind, this incident only lasted approximately one minute and I'd already lost eighteen months of my life and the stress that was involved with that. Please have the investigation and let me get back to work.

O'HALLORAN: And what actually happened?

SUNDERLAND: The school took in excess of eight months to do an investigation. As far as I'm concerned it was just a witch-hunt, they didn't believe anything that I said, they did everything they could to discredit my witnesses. I didn't feel that I'd had a fair investigation.

O'HALLORAN: In the spring of 2006, Judi Sunderland was found guilty by the school of gross professional misconduct. She was told she could return to work, but only under a final warning, that any further transgression would cause her dismissal - a condition she found humiliating as she was still protesting her innocence. Two and a half years of struggle to clear her name had taken their toll, and during talks about her return to work, she snapped.

SUNDERLAND: I asked for a break in the meeting and handwrote my resignation there and then, because I just couldn't take any more. I just couldn't fight them anymore. I would be the very first person to say that all children should be protected, but I think that teachers have rights too and these seem to have got lost.

O'HALLORAN: Judi Sunderland later brought a case for unfair dismissal. But in a judgement last week, she lost. The employment tribunal ruled that the disciplinary process had been carried out fairly, but it didn't rule on what had happened in the incident itself and whether or not the teacher had used reasonable force. The authority, Education Bradford, refused to be interviewed. But it said it was pleased with the tribunal's judgement, which vindicated the way the matter had dealt with. Even a case that never gets as far as a court can lead to a teacher struggling for many years to try and prove his innocence.

ACTUALITY WITH CANOE

MAN: Right, let's get the boats out here, John.

WHITEHEAD: Yes. Okay.

O'HALLORAN: A canoe is launched into the water against the backdrop of the Snowdonia mountains.

WHITEHEAD: If we pull on down there, it'll be the safest place to do

it.

MAN: Yes, we'll be sheltered from the wind ...

O'HALLORAN: With the help of a friend, John Whitehead indulges his passion for boating. But this former teacher from the Midlands has far more time on his hands to pursue his hobby than he ever expected or wanted. Back in 2002, John Whitehead was in his early fifties and had taken up a new job as Head of Technology at Corley School, Coventry.

WHITEHEAD: Corley Special School was a very challenging school.

The assault rate there is fairly high on staff and they were being bitten and thumped and kicked. I was actually called, as a senior manager, several times where a pupil would be rampaging in the classroom and it would have two members of staff to physically restrain the child and take them outside, calm them down.

O'HALLORAN: John Whitehead taught in a classroom that doubled as a workshop. Because there were tools and other hazards, he needed an assistant. But one day in September 2002 he had to start a class on his own.

When did things start to go wrong?

WHITEHEAD: There was one student who had been bullied fairly severely in the school. The pupils started to annoy him and he ran out the classroom. He appeared at the classroom window four or five minutes later. At that point, one of the pupils in my group who has a history of bullying decided that he was going to go and sort him out and he ran out the classroom with, 'I'm effing going to kill him.' As I'm moving towards the front of class, this is all within 30 seconds, another pupil decided that he was going to leave the class and join in. I believed both of them are going to assault the first student. I'm standing on the hinged side of the door, trying to remonstrate with him. He tries to snatch the door open, catches his fingers in the door and screams. I yank hard and the door comes open. I assessed very quickly that he's got a major trauma, as it turned out broken fingers, elevate the injury and go straight out within five or ten seconds to first aid.

O'HALLORAN: Within a few days the head teacher told John Whitehead that the injured pupil's parents had complained, alleging he had trapped the boy's hand in the door on purpose. The teacher was suspended. The police investigated, but within two months decided to take no action. The school then began its own investigation. It didn't consult John Whitehead on which witnesses should be interviewed and it rejected his request for a joint site visit so he could demonstrate what had happened at the door. There were long delays and it was around eighteen months after the event when the school, aided by the education authority, Coventry City Council, finally opened a disciplinary hearing.

WHITEHEAD: There are three governors to judge you. The head is leading the prosecution as such and he's got fairly serious guidance from the LEA, and I have my one union person.

O'HALLORAN: And what was said about you and about the incident?

WHITEHEAD: Initially very little was said. This disciplinary process only happened for about half an hour and then one of the governors fell asleep, started snoring and had to be woken up. Once the governor had woken up, they allowed the Head to carry on with his full presentation. At that point it was cancelled for many many months while they tried to get a rehearing sorted out. Lots more delay caused by them. But, to cut a long story short, 24th of July they sacked me for gross misconduct and stopped my salary accordingly.

O'HALLORAN: By that time he had already been suspended for nearly two years. He appealed, again to a panel of governors, but without success. In the meantime his income had dried up. He couldn't get full time, or even supply teaching work in his area. So he sought the help of an advocate who specialises in teachers' disciplinary cases, Jenni Watson.

WATSON: It was obvious from reading the reports of both hearings that whatever the head teacher said, the panel accepted and whatever the advocate for Mr Whitehead said was rejected. Increasingly, since 2002 and the Soham murders, the process which applies appears to reverse the normal burden of proof and if an allegation is made against a teacher, there is a presumption that he or she is guilty of it and has to prove their innocence of it.

O'HALLORAN: But it might be said that no local authority can be too careful and they must do all in their power to safeguard pupils.

WATSON: Nobody is saying that children should not be protected, but they can be protected whilst maintaining a fair process for people who are the subject of allegations against them. It's this lack of a measured approach which I find very difficult and is very unfair.

O'HALLORAN: At a series of employment tribunal hearings over the next three years, John Whitehead obtained a small measure of justice. The first tribunal castigated the school authorities for an investigation it said wasn't even-handed. It said the investigator, who was the head teacher:

READER IN STUDIO: did not interview people the claimant did identify as having potentially relevant evidence. The claimant was not able to do so himself because of the terms of his suspension. The claimant had asked both panels to participate in a joint site visit and this was refused.

O'HALLORAN: The tribunal was critical of delays by the school authorities and of the hearing at which a governor fell asleep. And it said even when a full hearing took place it was clear the panel of governors prejudged John Whitehead's guilt.

READER IN STUDIO: The disciplinary panel decided what outcome they wanted to achieve and worked backward from that point, which is not a permissible option available to an employer acting reasonably.

O'HALLORAN: In June last year, nearly six years after the incident, another tribunal ruled that there was no chance John Whitehead would have been dismissed had a fair disciplinary procedure been followed by the school. And it found that even if the teacher had made a mistake by some action near the door, which was still in doubt:

READER IN STUDIO: ... the claimant had a 23 year unblemished record, was working in a school with difficult and troubled pupils in a class that had become extremely difficult to handle through no fault of his own. We find unacceptable the idea that an entire teaching career can be condemned as a consequence of one mistake made in the heat of the moment.

O'HALLORAN: But even the most favourable tribunal judgement can't give a worker his job or career back. John Whitehead won compensation of around £63,000, but that was a small fraction of the hundreds of thousands of pounds he might have gained in salary and pension by working till the age of 65. His career was in tatters. And, despite not having been convicted or even charged with any crime, he now had a long entry at the Criminal Records Bureau, summarising the incident and what had followed.

WHITEHEAD: It stops you doing everything. I've been banned from care work, I've been banned from work as a chef, I've been banned from all forms of teaching and caring. It's stopped me doing voluntary work with the RSPCA as dog walking, I've been banned.

O'HALLORAN: You've been banned of being a dog walker?

WHITEHEAD: I'm deemed not a fit person.

O'HALLORAN: Because of your CRB entry?

WHITEHEAD: Because of the CRB and you tell them that you've had an employment tribunal.

O'HALLORAN: Coventry City Council rejected our request for an interview. In a brief statement they claimed to have followed all disciplinary procedures appropriately.

READER IN STUDIO: We recognise the tribunal's findings that there were flaws in the process, though the responsibility for delays is shared between the local authority and Mr Whitehead's representatives. We believe it was a thorough and fair process.

O'HALLORAN: The body which represents local authorities is the Local Government Association. Les Lawrence is chairman of its Young People's Board. What does he make of the six year ordeal faced by John Whitehead?

LAWRENCE: It is an awful long time, but I think you will always find one or two cases which have brought about a serious injustice and have taken a long time to resolve, but I think the normal length of time is far less than that.

O'HALLORAN: The final tribunal ruled that there wasn't sufficient weight given to a long, unblemished career.

LAWRENCE: That could be not untypical and that brings us to the extent to which the panels follow precisely the procedure that is laid down for the processing of such cases. And I would have to say that if that was not brought to the attention of the local authority in which school he taught at and took the employment tribunal, then I would question whether the procedures were ever followed properly in the first place.

O'HALLORAN: Yet in the John Whitehead case it appeared that the local education authority was fully involved in offering advice and therefore it couldn't really just blame the school or the governors for making really quite bad mistakes.

LAWRENCE: I think there will always be cases where all parties to the process have not fulfilled their responsibility and it would appear that this is a classic example of everyone failing to fulfil their responsibility.

O'HALLORAN: But is the case of John Whitehead just an isolated exception? And if not, how wide does the problem go? The General Secretary of the teaching union NASUWT, Chris Keates, says allegations of this kind are a threat to all of her 270,000 members.

KEATES: It's an extremely serious issue. In fact, it's a blight on the modern teaching profession.

O'HALLORAN: How many teachers are facing such allegations each year, do you think?

KEATES: Well, in terms of NASUWT membership, the number of allegations we would get probably on average is around 800 to 900 a year. In the vast majority of our cases, it's usually not been anything to do with abuse; it's been teachers trying to manage a very difficult situation. If we take the figure of 800 cases a year, whatever the outcome of that investigation, that will be on the teacher's file. If that teacher applies for another job, that allegation will be resurrected under the Criminal Records Bureau check, so you could actually say that every one of those 800 teachers has got a blight over their career for the rest of the time they're teaching.

O'HALLORAN: And that figure applies to just one of the teaching unions. In 2005, the Government issued new guidance to school authorities to speed up the handling of such cases. We've looked at a case that began in the following year: 2006. It was certainly handled more rapidly than that of John Whitehead. But that turned out to be of little consolation to the teacher concerned.

DRZEWIECKI: I have always had a positive attitude, I'm an ex sportsperson, Olympic weightlifter and I knew that I had not committed a crime as such. I couldn't understand how a person who had been teaching for over 35 years could be treated like this.

O'HALLORAN: Andy Drzewiecki was a sports teacher at St Mary's Primary School in the Tunstall district of Stoke on Trent. In early December 2006, he was involved in an altercation with a pupil who was known for his unruly behaviour. The boy had been put on "zero tolerance", which meant he was to be sent straight to the head teacher for any breach of discipline. One day he and another boy were told by Andy Drzewiecki to write letters of apology to a pupil they'd been bullying. But later, says the teacher, he found that this request had led to further conflict, this time between the two alleged miscreants.

DRZEWIECKI: One of the boys was in tears, his paper screwed up in his hand. He remarked the boy who had actually done the attack had screwed his paper up and was now threatening him. I looked for the boy, who was hiding in the classroom. I asked him to go downstairs to the head teacher on two occasions. On my third request being refused, I approached the pupil, took him by the shoulder, took him to the door, told him to go downstairs to the head teacher and told him I'd follow him, because I had to deal with a pupil who was distressed in the classroom.

O'HALLORAN: Now you are an Olympic weightlifter, you are an incredibly strong man. Are you sure you did not grip him too firmly?

DRZEWIECKI: I'm positive I didn't grip him too firmly. If I'd have done that I'm sure I would have caused more injury than was reported to have been caused. I just led him, holding him by the shoulder. I then made sure there was calm in the classroom, went down to the corridor and found the pupil with the head teacher in the office.

DRZEWIECKI cont: When I walked into the office, the pupil was shouting at the head teacher. The head teacher told the pupil that he was going to be sent home.

O'HALLORAN: The next day Andy Drzewiecki was told that a parent had complained, alleging the boy had been hurt and had suffered a red mark on his arm. The police were to investigate. The teacher was ordered home at once and the head teacher banned him from contacting anyone at the school except herself. However, a week later he heard from a parent, who helped with sports coaching. Adrian Chell recalls that he texted Andy Drzewicki to tell him he'd witnessed the boy and others boasting that they'd got rid of the teacher.

CHELL: I was attending a Christmas function at the school along with my wife. Whilst we were queuing outside the school, the child involved in this incident began bragging, laughing and joking and saying that they'd got their story straight and that he wouldn't be coming back. He basically then intimated that, along with two or three other children, they had colluded to get Andrew removed from his job by all agreeing on a story of the events that had happened.

O'HALLORAN: And what did you do after that?

CHELL: I immediately sent Andrew a text. It read: 'Two or three kids have openly admitted getting together to get their story straight together and if I were you I would inform your union sharpish,' and then I ended the message with 'this is all wrong'.

O'HALLORAN: Andy Drzewiecki alerted the head teacher, hoping the news would assist his case. But he felt she paid little heed to it. Over the next few months, the head teacher rang him from time to time to see how he was. In April he learned the police were taking no action against him. He was relieved - until he heard the school was starting its own investigation.

Who was carrying out the school investigation?

DRZEWIECKI: Well, to my surprise, it was my head teacher, who'd supposedly supported me through my months of stress at home.

O'HALLORAN: Let me be clear about this. The head teacher, Mrs Gill James, was a witness to a key part of the incident?

DRZEWIECKI: She was indeed. I was absolutely horrified to find that this woman, who had supported me supposedly, now was going to continue the investigation against me.

O'HALLORAN: The main school allegation against Andy Drzewiecki was of unacceptable professional conduct, by manhandling a pupil and using threatening behaviour. A disciplinary hearing before a panel of governors took place six months after the event. The case against the teacher was duly laid out by the head teacher, Mrs James. And she made a series of assertions about what the evidence she'd gathered contained, recalls Andy Drzewiecki.

Were all the statements the head teacher made against you at the hearing, were they true?

DRZEWIECKI: Most of them were not true. For instance the fact that I'd run down the corridor screaming and shouting at the boy. She accused me of shouting in the boy's face while I was in her company. She also said that other members of staff had witnessed my shouting at children and that was not true either. The governors seemed to believe the head teacher and ignore the evidence presented by my NUT representative and certainly my evidence. All the evidence was gathered by them.

O'HALLORAN: And what happened at the end of the day?

DRZEWIECKI: I was informed that the governors had decided that I would be sacked from my job at St. Mary's School. I was absolutely horrified, I felt cheated and I felt that my career was in shreds.

O'HALLORAN: An issue at the heart of the case was when and how a teacher may intervene with pupils physically. Important guidelines on this had been set out in an Education Department circular known as 1098. It said reasonable force could be used to control or restrain a pupil in various situations, including to prevent an action prejudicial to good order and, for instance, where a pupil refused an order to leave a classroom. Jenni Watson, who was retained by Andy Drzewiecki as his advocate, says this document should have been scrutinised by the panel in his case.

WATSON: Circular 1098 is important. It's a very helpful document for anybody dealing with these sorts of problems, and it provides for a fair approach which protects children and recognises the difficulties that teachers have in doing their jobs. The panel didn't have the advice itself, they didn't have the child protection procedure and they were patently floundering with their role.

O'HALLORAN: Last year Andy Drzewiecki took his case to an employment tribunal. After five days of hearings, it issued a crushing indictment of the process carried out by the school. The tribunal noted the boy's disruptive and violent record. It criticised the head teacher's failure to hold investigatory meetings with witnesses, such as the parent who thought he'd witnessed collusion by pupils to get the teacher sacked. And it challenged the suitability of the head teacher as investigator in the first place.

READER IN STUDIO: The investigation into all matters was thoroughly inadequate. Mrs James, the head teacher, by no means could be considered an independent investigator. She was involved in one of the very incidents that led to the claimant's dismissal. How could she investigate herself?

O'HALLORAN: And, said the tribunal judgement, the head teacher's overview of the case for the governors contained claims about the content of the evidence that were "just not true".

READER IN STUDIO: She states it was alleged by a number of staff who witnessed the incident that the claimant pursued Child A downstairs, shouting at him very close to his face in a very intimidating manner. No members of staff witnessed any of these incidents.

O'HALLORAN: The "inadequate" investigation had been followed by further flaws at the disciplinary hearings. Not least that the panel had failed to get to grips with the issue of reasonable force, and didn't have a copy of the key government circular.

READER IN STUDIO: They should have done. This circular contains crucial information which would have enabled the panel to come to a more reasonable, proper, balanced and objective view of what the claimant was alleged to have done, and whether that was reasonable.

O'HALLORAN: The tribunal ruled Andy Drzewiecki's dismissal to have been "thoroughly unfair". But again, that wasn't going to win him his job back. Andy Drzewiecki says he's lost seven years as a school master.

DRZEWIECKI: My teaching career has come to a full stop as far as teaching in primary school. I felt that the whole situation could have been quite easily avoidable. And think of all the money that's been spent by the government or authority...

O'HALLORAN: Many tens of thousands of pounds presumably?

DRZEWIECKI: Without a doubt and the fact that the compensation they're paying me has actually come out of tax funds makes it all seem quite unreal and quite ludicrous.

O'HALLORAN: A confidentiality agreement means he can't discuss the compensation deal but it's unlikely to have come to more than about two years' worth of salary. The head teacher at St Mary's School, Mrs Gill James, refused to be interviewed. But in a brief statement she and the governors said:

READER IN STUDIO: Following the incident, immediate contact was made with the Human Resources department of Stoke on Trent City Council, who are contracted to the school to provide advice and assistance in such matters. All of the subsequent procedures were undertaken on the specific advice of that department.

O'HALLORAN: Stoke on Trent Council also refused to be interviewed. But in a statement it claimed to have followed disciplinary procedures appropriately. However, Les Lawrence of the Local Government Association concedes that the handling of the case appears to have been less than satisfactory.

The tribunal ruled that the head teacher should not have investigated, because the head teacher was a witness, she was effectively investigating herself.

LAWRENCE: If it's a matter, especially of gross misconduct or potential for leading to dismissal, it should be, as a matter of course, an independent investigation, because how else can you show that equity and justice and transparency of the process have been undertaken and fulfilled?

O'HALLORAN: But in saying you advise head teachers to go for independent investigation, how much pressure are your authorities putting on head teachers to do that?

LAWRENCE: I would certainly accept that that's the nub of the question and perhaps not as much as perhaps we should do, given the number of cases that are beginning to come to light.

O'HALLORAN: In the Drzewiecki case, the panel didn't have the key circular on reasonable force in front of them, so isn't that down to the local education authority when something like that happens?

LAWRENCE: I would have to say yes, because any new document or new guidance should be the basis of governor training and the local authority should ensure that all governing bodies are aware of such important circulars, because without that knowledge you can't fulfil the role that's expected.

O'HALLORAN: The representative body for school governors in England is the National Association of Governors. Its chief executive, Phil Revell, points out that his members are lay people, largely untrained, and that as a result they are fallible.

REVELL: I'm afraid the actual situation that we find quite regularly is governors, because they are not human resources professionals, are not aware of what they do not know.

O'HALLORAN: They don't understand how ignorant they are?

REVELL: I prefer not to use the word 'ignorant' but...

O'HALLORAN: But that is basically what you were driving at?

REVELL: Yeah, yeah, these matters are complex.

O'HALLORAN: But the governors are grown up people. They ought to have some sense of fairness and unfairness, oughtn't they? Isn't that the sort of thing they're there for?

REVELL: Yeah, and there's no doubt whatsoever that governors should take an even-handed view, but we set this against the background of a very very high profile child protection landscape, in which we are repeatedly warned about the dangers of ignoring allegations of injury and abuse to children.

O'HALLORAN: If hundreds of teachers are having their careers blighted or ruined by accusations, is that often the case because the governors are failing really to do a robust enough job?

REVELL: I feel that every governing body should have a clear policy in place as to how it would handle such an allegation. You need to have that to protect the child, but equally those procedures should also protect the adults in your school, and unless you balance both sides of that equation, you are failing one or the other.

O'HALLORAN: However, an MP with long experience of education matters says the balance has been tilted too far against the teachers. Barry Sheerman is chairman of the Commons Select Committee on Children, Schools and Families. MPs were recently told by the Government that every year as many as 2,500 teachers face allegations of using excessive force. And that's a figure that Barry Sheerman finds alarming.

SHEERMAN: That's very concerning, because if you add to that allegations of a sexual nature and there are other miscellaneous categories, it's a lot of cases, it's a lot of anguish for many many teachers, and of course it's enormously expensive, because these teachers are usually mature professionals on a reasonable salary and they have to be replaced.

O'HALLORAN: So of the thousands of teachers who face allegations each year, do you have any idea what proportion really do see their careers damaged?

SHEERMAN: I think the bulk of them. You cannot suspend a teacher without damaging them as a professional. There are so many cases. It's costing the taxpayer a great deal of money. It's disrupting the life of the schools in a way that shouldn't happen. I want to find out if we can cut through this nonsense. To get justice takes a long time, the onus seems to be on proving your innocence. And of course, one has to be very fortunate if that is totally erased from your CV.

O'HALLORAN: We wanted to question a minister about the apparent injustice suffered by these teachers, but the Department of Children, Schools and Families rejected our request. It said the Government had been working to improve the way allegations are handled, both to protect children and to ensure the teachers are treated fairly.

READER IN STUDIO: We are looking at whether guidance should be amended to make clear that accusations which have been investigated and demonstrated to be completely untrue do not need to be included in teachers' references.

O'HALLORAN: However, Barry Sheerman is underwhelmed by the Government's efforts. And he has told File on 4 his Commons committee now plans to hold an inquiry into allegations against teachers in the spring.

SHEERMAN: I think we need a sea change. I'm sure this is all full of good intentions ...

O'HALLORAN: You mean what the Government is doing?

SHEERMAN: I think what the Government is doing is full of good intentions, but it isn't being felt down there at the grass roots in the schools themselves, and I think that there's got to be a much more significant announcement, that we've got to be much more fairly treating teachers. If I raise it and take evidence, and I can expose the misery this is unfortunately causing to a lot of teachers unfairly, unjustly, then I can, I think, bring pressure on the Government to move much more quickly to put it right.

SIGNATURE TUNE