

William Vahey

Case Study

April 2014

Introduction

In April 2014, the FBI and the police contacted an independent senior school in the UK to inform them that a former teacher at the school had taken his own life in the United States following the commencement of a police investigation in allegations of child abuse. The FBI had launched an enquiry after a maid at a school where the teacher worked in Nicaragua found a USB stick containing images of 90 naked and unconscious boys. It is believed that as many as 60 students at the school are victims.

Background

In 2009 the teacher had sent an unsolicited CV seeking a post at the school. During his career, the American had worked overseas in a number of countries including:

- Nicaragua
- Venezuela
- Indonesia
- Saudi Arabia
- Greece
- Iran
- Spain
- Lebanon
- Iran

References said that he was an ‘outstanding’ member of staff who was willing to take schools trips. The draft of an application letter found by police on his computer said, “I would not consider any position that did not offer extensive opportunities for interaction with students in sports and extracurricular activities.” The draft letter continued that he had a “love of student travel and had an extensive background in this area”.

The teacher claimed to have led student tours to twenty countries, including Thailand, Nepal and Singapore with activities including

- White water rafting
- Overnight stay in a traditional Indian village
- Zip wires
- Bungee jumps
- Surfing
- Snorkelling

- Riding quad bikes
- Galloping horses
- Climbing Inca pyramids

In an interview with the Guardian newspaper, a pupil described how the teacher had launched his 'travel club' very soon after starting work at the school. He described how the club wasn't open to all students and the teacher himself chose who would be invited to come along on the trips.

A mother said that the teacher had "cunningly" fostered close relationships with parents and put them at ease, "He inspired this community of trust with parents." One way that he did this, was to invite parents into the school for gatherings and events prior to the trips where he would also be accompanied by his wife. The teacher was popular with pupils and parents.

The trips were carefully planned and the teacher arranged that only he and one female chaperone would go, despite it being more usual to have at least two staff of each gender. According to school policy, trips involving adventurous activities or overseas travel must be approved at the highest management level, but it is not clear whether this ever happened in this case.

The pupil described how one evening at an event overseas where the group were making their own food from local ingredients, when he began to feel dizzy and nauseous. The teacher left the remainder of the group with the chaperone and took a taxi back to the hotel with the ill student. The last thing the boy remembers was being taken into his bedroom by the teacher. It is now believed that the pupil's 'illness' was as a result of the teacher spiking the boy's meal with sleeping tablets. The teacher had used this strategy over many years to create the opportunity to abuse pupils.

The Teacher

The teacher was convicted of child molestation in the USA in 1969 at the age of 20. He was sentenced to 90 days in prison, with five years' probation and registration as a sex offender, but he did not renew the registration after 1970. He completed a Bachelor of Arts degree in California in 1972 and left America for Iran to begin a forty year teaching career across the world.

Inspections

The Independent Schools' Inspectorate report in 2010 said that the school did not fully meet all the vetting standards. ISI said the school had not, "ensured the correct safeguarding procedures regarding staff appointments". "Some staff," it said, "had been appointed without checks being properly completed."

Independent Review

The school concerned has commissioned an independent review from Hugh Davies OBE QC, a senior lawyer with particular expertise in prosecuting offences involving child exploitation. The findings here are taken from the Interim Report published in July 2014.

The relevant Local Safeguarding Children Boards have started a Serious Case Review which will report in due course.

Lessons to be learnt

Although the findings of the Davies Review refer to one particular school, there are lessons to be learnt for all schools. Headteachers, designated safeguarding leads and governors must review their own systems and, in the words of 'Keeping Children Safe in Education', Think The Unthinkable.

Whilst it must be remembered that the offender in this case was 'an accomplished and sophisticated criminal' [Davies], it seems likely he was able to continue to offend in this particular school because a number of weak elements came together and failed to deliver a robust culture of safeguarding. Some of these factors are highlighted below.

Safer Recruitment

Relating to the specific appointment

- The offender in this case sent in an unsolicited CV
- There was no subsequent application form completed
- No references were taken up until 'some months' after he had started at the school
- The Headteacher alone interviewed the teacher
- The teacher was originally appointed for maternity cover, which was made permanent a year later

Relating to the school's overall processes

- The adverts and paperwork for candidates did not note the school's commitment to safeguarding
- There was no link to the school's Safeguarding Policy and Procedures
- There were no job descriptions, person specifications or application forms
- References were not collected or scrutinised before interview

Vetting Checks

This is a school serving students from across the world and has a high turnover of both students and staff. UK vetting checks are limited in the information they would reveal. The offender in this case had never lived in the UK, so his CRB (now DBS)

would be clear. Safeguarding is about managing risk and further consideration should be given to vetting staff who have lived outside the UK.

Managing allegations against staff

There is statutory guidance about managing allegations against staff, but it is unclear about what staff behaviours should be recorded. It is better to talk about managing 'concerns', rather than 'allegations'. Recording concerns about staff conduct allows Designated Safeguarding Leads or headteachers, to begin to identify patterns of unacceptable conduct. The definition of 'questionable conduct' must be clear to everyone, regardless of role or level of experience. An effective and clear Staff Code of Conduct is significant to support safeguarding.

In this case, inadequate record-keeping failed to identify a pattern of conduct which "almost certainly" would have led to a LADO referral [Davies para 3.6.8].

Record Keeping

- Must be systematic to ensure at least one person has, or can access, the complete history of concerns about the staff member
- Definition of 'questionable conduct' must be clear to everyone
- Concerns should be recorded, not just allegations
- Patterns of concerns must be noticed and evaluated
- Growing number of 'low level' concerns can be discussed with LADO, not just a serious, one-off allegation
- Reports about staff conduct should be recorded in writing, shared with the Designated Safeguarding Lead or headteacher and discussed with the LADO
- Discussions with LADOs should be recorded in writing
- Pupils should know how to report concerns

Strategic Overview

- Governors must ensure the school is compliant in all areas
- The Single Central Register must be up to date and checked regularly
- Governors must ensure policies are both understood and implemented in day-to-day practice
- Governors must retain overall responsibility for adventurous or overseas visits.
- Governors should ask question that will help them understand whether policy translates into practice.

School visits, including residential, adventurous or overseas

Rigorous planning must consider the full range of safeguarding risks, including the supervisor of ill pupils. Once the visit is over, a debrief and evaluation is important, both the plan for future events, but also to highlight any challenges that occurred during the visit, including whether any changes needed to be made to

accommodation arrangements, unusual medical events or significant injuries to pupils.

Curriculum

The curriculum should be used as an opportunity for students to understand the professional boundaries of the staff who work with them, including their behaviour and language.

Staff who deliver Personal and Social Education and Sex Education, must not be the same people to whom they should take their concerns. In this case, as an 'advisor', not only was the offender teaching pupils about appropriate staff boundaries and delivering sex education, he was also the person to whom pupils should take their concerns in the first instance.

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