



Managing Allegations Against Staff Policy 2026/27

Policy Date:	August 2026		Version:		
Policy Review Date:	August 2027		Headteacher		
				Signature	Date
Ratified by Governing Body:					
			Signature		
				Date	

1 Introduction

This policy applies to all employees and governors. Other individuals performing functions in relation to the organisation, such as agency workers and contractors, should have access to a copy of the policy

As per KCSIE 2024, it is the responsibility of Barley Croft Primary School to ensure procedures are in place for dealing with concerns and/or allegations against those working in or on behalf of schools and colleges in a paid or unpaid capacity, including, members of staff, supply teachers, volunteers and contractors. Our procedures are consistent with local safeguarding procedures and practice guidance and KCSIE 2024¹.

Any concern that staff have regarding another staff members behaviour towards a child must be reported to the Head Teacher. If the concern is regarding the Head Teacher then the concern must be reported to the Chair of Governors (Tommy Lloyd).

1. Inappropriate behaviour by staff/volunteers could take the following forms:

☐ **Physical**

For example the intentional use of force as a punishment, slapping, use of objects to hit with, throwing objects or rough physical handling.

☐ **Emotional**

For example intimidation, belittling, scapegoating, sarcasm, lack of respect for children's rights, and attitudes that discriminate on the grounds of race, gender, disability or sexuality.

☐ **Sexual**

For example sexualised behaviour towards students, sexual harassment, sexual assault and rape.

☐ **Neglect**

For example failing to act to protect a child or children, failing to seek medical attention or failure to carry out an appropriate risk assessment.

KCSIE 2024 states that LADO procedures are categorised in to 2 main areas;

1. Allegations that may meet the harms threshold
2. Allegation/concerns that do not meet the harms threshold – referred to as 'low level concerns'.

Section one: Allegations that may meet the harms threshold

Managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children in a school or college. This guidance should be followed where it is alleged that anyone working in the school or a college that provides education for children under 18 years of age, including supply teachers, volunteers and contractors has:

- Behaved in a way that has harmed a child, or may have harmed a child and/or;
- Possibly committed a criminal offence against or related to a child and/or;
- Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The harm test is explained on the Disclosure and Barring service website on [GOV.UK](https://www.gov.uk).
[Section 31\(9\) of the Children Act 1989 as amended by the Adoption and Children Act 2002](#)

The last bullet point above includes behaviour that may have happened outside of school that might make an individual unsuitable to work with children, this is known as transferable risk.

Where appropriate an assessment of transferable risk to children with whom the person works should be undertaken. If in doubt seek advice from the local authority designated officer (LADO).

A “case manager” will lead any investigation. This will be either the headteacher or principal, or, where the headteacher is the subject of an allegation, the chair of governors or chair will be the proprietor.

Section Two: Concerns that do not meet the harm threshold (Low Level)

Concerns (including allegations) which do not meet the harm threshold set out above. Concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

Low level concerns

As part of their whole school approach to safeguarding, schools ensure that they promote an open and transparent culture in which all concerns about all adults working in or on behalf of the school or college (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

Creating a culture in which all concerns about adults (including allegations that do not meet the harms threshold are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. If implemented correctly, this should encourage an open and transparent culture; enable schools and colleges to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working in or on behalf of the school or college are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.

What is a low level concern?

The term ‘low-level’ concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out above. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ - that an adult working in or on behalf of the school or college may have acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and

- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- Being over friendly with children;
- Having favourites;
- Taking photographs of children on their mobile phone;
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- Using inappropriate sexualised, intimidating or offensive language.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

It is crucial that any such concerns, including those which do not meet the allegation/harm threshold are shared responsibly and with the right person, and recorded and dealt with appropriately.

Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from potential false allegations or misunderstandings.

If a staff member is unable to raise a concern about the inappropriate behaviour of another staff member, or any other safeguarding concern, all staff are aware of Barley Croft Primary School Whistleblowing Procedures (see appendix).

Where staff have a concern this must be reported immediately as with any other safeguarding concern.

The Head teacher) is the member of staff who responds to an allegation or complaint unless the allegation is about the Head then this should be reported to the Chair of Governors.

A member of staff receiving information regarding an allegation should not question the child or investigate the matter any further. They will:

- treat the matter seriously, avoid asking leading questions and communicate with the child in a manner appropriate to the child's understanding and communication style;
- make a written record of the information, where possible in the child's own words stating when the alleged incident took place, who was present and what was alleged to have happened;
- the record must be signed and dated;
- the person receiving the information will report the matter immediately to the Head teacher. Where the allegation involves the Head teacher, the information should be reported to the Chair of Governors.

If the allegation has been observed by the staff member rather than being disclosed by a child, the staff member should immediately report the concern to the Head or Chair of Governors.

The person to whom the matter is reported will become the Senior Designated Manager (SDM) until the allegation is resolved. The SDM will inform the Chair of Governors of the allegation.

Initial action by School designated manager (SDM)

The SDM will NOT investigate the matter by interviewing the accused, the child making the allegation or any of the potential witnesses.

They will:

- obtain written details of the allegation, signed and dated by the person receiving the allegation or complaint;
- countersign and date the written details;
- record any other information about times, date(s) and location(s) of any incidents and the names of any potential witnesses.

If the allegation meets the harms threshold outlined above, the SDM will report it to the Local Authority

Designated Officer (LADO) for consideration around thresholds and whether to report to Police and Social Care for investigation. Referral to the LADO will NOT be delayed in order to gather further information. Immediate harm or injury should be reported directly to Social Care and the Police, who will refer onto the LADO.

If the allegation is deemed to be a low level concern (see above). The Head will speak to the staff member, explain the concern and discuss any appropriate training or action that the staff member should take.

Details of any low level concern will be recorded, dated and actions explained. These will be held by the Head Teacher and referred to if any further concerns are disclosed.

The SDM and the school will co-operate with all relevant authorities and will share all relevant information about the person subject to the allegation and the alleged victim to assist in any further investigation.

Informing staff member whom the allegation is about

The Head teacher will inform the accused person of the allegation as soon as possible after prior consultation with the LADO.

The Head teacher will advise the member of staff to seek support from his/her Professional Association or Trade Union and will remind the member of staff about access to the SAS counselling service. The Head teacher will provide the individual with a copy of the Leaflet: 'Information for Employees and Volunteers regarding the Handling of Allegations of abuse against Adults who work with Children' (Appendix 1).

Seeking guidance from the LADO, the Head teacher and/or Chair of Governors will consider carefully whether the circumstances of the case warrant interim safeguarding arrangements, for example, an immediate suspension of the person involved from contact with children until the allegation is resolved. Any suspension will be on full pay. The ongoing appropriateness of safeguarding arrangements will be reviewed as enquiries progress.

Supporting Those Involved

After discussion with the LADO as to the most appropriate way this should be done and by whom, parents or carers of a child or children involved will be told about the allegation as soon as possible (if they do not already know of it). In cases where a child has been injured whilst in the school's care, the parents will be informed immediately.

At all times the school will liaise with appropriate agencies, and ensure that agreed support is put in place for the child or children involved.

A nominated school representative will also keep the person who is the subject of the allegations informed of the progress of the case and consider what other support is appropriate for the individual. If the person is a member of a union or professional association s/he will be advised to contact that body at the outset. Appendix 1 provides information for staff who are facing an allegation of abuse against a child.

Confidentiality

Every effort will be made to maintain confidentiality and guard against publicity whilst an allegation is being investigated and/or considered.

Record Keeping

The school will keep details of any allegations made and how the allegation was followed up and resolved. These records will be kept until the person reaches normal retirement age, or 10 years if that is longer, including for people who leave the school's employment. The purpose of the record will be to enable accurate information to be given in response to any future request for a reference and to provide clarification for future DBS disclosures.

Outcomes

If, after initial consideration between the SDM and the LADO, it is clear that police or social care investigations are not necessary, the school will be guided by the LADO as to the most appropriate action.

The nature and circumstances of the allegation and evidence will determine the next course of action. If the nature of the allegation does not require formal disciplinary action, appropriate action will be instituted within 3 working days.

If a disciplinary hearing is required and can be held without any further investigation, the hearing will be held in line with LA guidelines. Subsequent procedures, as outlined in the Leicester City Council Disciplinary Procedures, will be followed.

Actions in response to a false or unfounded allegation

1. Where a child/children has/have made an unfounded allegation, the Head teacher will refer the matter to Children's Social Care for consideration of an initial assessment.
2. Where an adult has made an unfounded allegation, the Head teacher will seek further guidance from Human Resources.
3. In the event of an allegation being found to be a malicious act (child or adult), the Head teacher

All of the above should be reported to the LADO.

Leicester City Safeguarding Duty and Advice

0116 454 1004

LADO – Local Authority Designated Officer

0116 454 2440

Head Teacher of School

Tel: 0116 2359008

Governor of School

[Tel: 0116](tel:01162359008) 2359008 leave your name/number and ask for them to contact you.

DSL's in School:

Rebecca Dulieu, James Canham, Emily Roberts, Sian Buckler, Alex Easton, Becci Bonshor

Appendix 1 Information for Employees and Volunteers regarding the Handling of Allegations of Abuse against Adults who work with Children

This leaflet is designed to assist you if you are facing an allegation of abuse against a child.

Any allegation is inevitably difficult and distressing for everybody involved. This leaflet gives an explanation of the process that will be followed, and of the information and support you can expect to receive. Some of the information contained in this leaflet only applies to employees, not volunteers: where this is the case, this is clearly indicated. Please note that the term 'manager' could apply to your line manager, your Headteacher or another relevant manager within the school or service in which you work/volunteer, and the expressions 'child' and 'children' are used to refer to both children and young people.

What is an 'allegation'? An 'allegation' refers to any information or concern which suggests an adult who works with children has:

- Behaved in a way that has harmed, or may have harmed, a child;
- Possibly committed a criminal offence against, or related to, a child; or
- Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

An allegation can arise in connection with your work, your own children or other children living outside the family, and can relate to a current or historical concern. An allegation can be made in a number of ways:

- Directly by the child in person;
- Indirectly, for example by friend/s of the child;
- Complaint from a parent/carer to a Headteacher/Manager, Children's Social Care or the Police;
- Report from a colleague or another agency; □ Anonymously.

What happens when an allegation is made? All allegations are taken seriously and acted upon. The management of allegations sits within an effective cycle of good practice which exists both to protect children and those who work with them.

When an allegation is made, a senior manager/Headteacher will refer to the Local Authority Designated Officer* (LADO), who is based in the Social Care and Safeguarding Division and has overall responsibility for the management of allegations. Together they will consider the nature, content and context of the allegation and agree the course of action to be taken.

*Local Authorities are required to designate officers to be involved in the management and oversight of individual cases – this person is known as the ‘Local Authority Designated Officer’ (LADO). The LADO provides advice and guidance, liaises with the Police, Social Care, the Crown Prosecution Service (CPS) and other organisations as needed and ensures a consistent, fair and thorough process for both child and adult.

Any allegation that meets the threshold for ‘harm’ or ‘risk of harm’ will be reported to police and social care for investigation.

Investigations may have three related, but independent, strands:

- Enquiries and assessment by children’s social care regarding whether a child is in need of protection or in need of services;
- A police investigation into a possible criminal offence;
- Consideration by the employer of whether disciplinary action is necessary.

These three strands need to be thoroughly assessed and a definite conclusion reached on each of them. To ensure this happens, a ‘strategy meeting’ will take place to plan any enquiries, allocate tasks and set timescales. The meeting’s primary focus is on safeguarding and promoting the welfare of the child, but it’s also about ensuring a fair process for you, as the adult. It will consider not only the children directly involved in the allegation but also any other children who could have suffered, or are at risk of suffering, harm. This could include your own children. These meetings are held under the Local Safeguarding Children Board (LSCB) Procedures: they are not part of any disciplinary procedure. In exceptional cases, the meeting could take place before you have been made aware of the allegation.

Those invited to the strategy meeting include representatives from the Police and Social Care, a named Senior Officer/Manager from your place of work and a Human Resources Advisor. In certain circumstances, Health professionals or the Children’s Rights Officer (if a child who is looked after is involved) may also be invited. You will not be asked to attend, however your views will be represented and shared through any applicable investigation processes by the Police, Social Care and your manager. All relevant information will be shared and decisions made about what actions are to be taken next.

For employees, if the initial evaluation establishes that a Police or Social Care investigation is not required, the matter may still need to be dealt with under the disciplinary procedure. One reason for this is that the burden of proof in criminal cases is “beyond reasonable doubt” whereas the lower threshold of “the balance of probabilities” applies to disciplinary proceedings.

Please be assured that any subsequent investigations will be conducted as speedily as possible, but of course this has to be balanced against the need for a thorough and fair process.

Cases subject to Police Investigation: If a criminal investigation is required, the Police will set target dates for reviewing progress and for consulting with the Crown Prosecution Service (CPS) about whether to proceed with the investigation, charge you with an offence or to close the case. If the police and/or CPS decide either not to charge you or to administer a caution, or if a Court acquits you, the police will pass all information that would be relevant to a disciplinary case (such as statements) to your manager. If you are convicted of an offence, the police will inform your manager immediately.

Disciplinary Investigation (Employees only): If a Disciplinary Investigation is to take place, the investigation will take place in accordance with the Disciplinary Policy/Procedure (which you will be provided with a copy of). In some cases you will be told not to attend work whilst the investigation is in progress. This is called 'suspension' from duties. Suspension will not take place without careful thought and consideration being given to other suitable alternatives, such as a transfer of duties or additional supervision. Suspension acts as a protection to both the child/children involved and yourself, as this is a time when you could be vulnerable to further allegations. It is a 'neutral' act, meaning that its use does not mean you are considered blameworthy of the allegation.

Will anybody else be notified? Every effort will be made to maintain confidentiality and guard against publicity while an allegation is being investigated and considered. However, alongside the Police and Social Care, there will be a need for a small number of people to be informed that an allegation has been made and the likely course of action:

- The child/young person concerned, their 'parents' and any party making an allegation; □ You – at the appropriate time;
- Your manager;
- In schools, the Chair of Governors;
- The Local Authority Designated Officer;
- Potentially the relevant Regulatory Body or the Independent Safeguarding Authority (ISA).

Where the matter has become common knowledge or subject to speculation, it may also become necessary to issue a brief statement for parents, children and the public.

Support for Employees: You will be:

- a) advised to contact your Trade Union representative;
- b) offered the services of the Staff Counselling Service.

Employees and volunteers will be kept informed of the progress of the case by their line manager, or suitable person designated by them.

Will I be informed of the outcome of the Strategy Meeting? At the conclusion of the strategy process, you will be informed of the outcome of all enquires and the recommendations made to your manager. You will also be provided with a written account formally confirming the outcome. Depending on the scope and scale of the investigation/s, more than one strategy meeting may be needed before an outcome can be arrived at. At the final strategy meeting, the outcome of police and social care enquiries will be discussed and consideration given as to whether you pose a risk to children and whether your suitability to work with children in your current position has been called into question.

Recommendations will be made to your manager about the level of risk and/or any training issues that may have been identified. This will be taken account of in any internal investigation.

Where an allegation has been made but the threshold for harm is not met the manager will deal with the issue as an internal matter.

Where an allegation has been substantiated this may not always result in dismissal, but additional training and monitoring may be necessary.

In the event that you are dismissed from your post because of a safeguarding concern, your manager has a statutory duty to refer you to the Independent Safeguarding Authority (ISA) for consideration as to whether barring you from working with children is appropriate.

What if I resign during the disciplinary investigation? It is important that every effort is made to reach and record a conclusion in all cases of allegations bearing on the safety or welfare of children, and so a resignation would not prevent an allegation from being followed up and considered through the strategy process. Any reference given will also make reference to an ongoing investigation. In addition, your manager has a statutory duty to refer you to the ISA for consideration to be given to barring you from working with children if you resign before a disciplinary process is completed and your manager considers that you may have been dismissed at the outcome of the process.

What about my return to work? Where it is decided that you can return to work your manager will consider how best to facilitate this. This may include a phased return.

Will the details of the allegation stay on my personal employment file? A clear and comprehensive summary of allegations made, their chronology and decisions reached will be kept on file at least until you reach normal retirement age, or for 10 years if that is longer. This applies even if you leave. The purpose of this record is to:

- provide clarification in cases where a future Criminal Records Bureau (CRB) Check reveals information from the Police that an allegation was made but did not result in a prosecution or conviction;
- enable an accurate response to be given to any future request for a reference; □
prevent unnecessary re-investigation if allegations resurface after a period of time.

Will the details of an allegation appear on my CRB Disclosure Certificate? Yes if the allegation results in a criminal charge. However, it is also possible there may be reference to an allegation that did not result in a criminal charge or conviction on a future CRB Disclosure Certificate. Such information would be disclosed at the discretion of a senior individual within the Police Force.

False allegations: False allegations should be referred to the LADO, and consideration will be given to a referral to Social Care for assessment. This is to rule out the possibility that the child is being abused elsewhere and displacing blame. Experience shows that false/malicious allegations are not the norm: there is often misunderstood /misinterpreted behaviour of the adult, or the child is aggrieved in some way at treatment received.

In the event that an allegation is shown to have been invented or malicious, the Headteacher/Senior Manager should consider whether disciplinary action against the individual who made it is appropriate. The police may also be asked to consider further action, taking into account the circumstances.

Where can I get more information?

- Chapter 6/Appendix 5 - Working Together to Safeguard Children (revised 2010);
www.lscbllr.org.uk
- Chapter 13 - Local Safeguarding Children Board (LSCB) Procedures - Allegations against a person who works with, or is in contact with, children in a work or care setting, including volunteers; www.lscb-llr.org.uk/
- Handling Allegations of Abuse made against Adults who work with Children and Young People - Practice Guidance (Draft) (DCSF, 2009) www.education.gov.uk

- School-based staff, Chapter 5 - Safeguarding Children and Safer Recruitment in Education (2006) www.schoolsrecruitment.dcsf.gov.uk
- Your Manager/Human Resources Advisor

Key Legislation

- Children Act 1989
- Education Act 2002
- Children Act 2004 – Every Child Matters, Change for Children
- Safeguarding Vulnerable Groups Act 2006
- The Employment Act 2008

Appendix 2 – Whistleblowing flow chart

If you want to raise a concern in your school/college and wish to whistle blow for wrongdoing, in the first instance, use the following diagram for guidance;

