

PROCEDURE FOR DEALING WITH ALLEGATIONS OF ABUSE AGAINST TEACHERS OR OTHER STAFF



St Michael's C of E Primary School

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Signed:	
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INTRODUCTION

Cumbria's Safeguarding Children Partnership (CSCP) is responsible for ensuring that there are effective inter-agency procedures for dealing with allegations of abuse by those who work with children, in accordance with the statutory guidance 'Working Together to Safeguard Children' (DfE 2018).

This procedure is provided to address the matter of school-based staff who are the subject of such allegations and is written in accordance with the statutory guidance documents Keeping Children Safe in Education (DfE 2022).

These procedures relate to staff and volunteers employed directly by the school, whether in a paid or unpaid capacity. They do not apply to staff working in schools who are employed by contract or local authority employers, for whom a separate procedure applies. Should any allegation be received against such staff, their manager must be contacted in the first instance.

The procedures set out what the school must do should such allegations be received. The actions of agencies other than the school are provided here only for information purposes.

The Senior Manager for dealing with allegations

The Senior Manager to whom any allegation must be reported is the Head Teacher. In the event that it is the Head Teacher who is the subject of the allegations, the Senior Manager is the Chair of Governors. In the event of the absence of the Head Teacher, or the Chair of Governors, The Deputy Head or Vice Chair, whichever is appropriate, will deal with the allegation.

CONTACT DETAILS FOR REFERRAL OR ADVICE

The LADO (local authority designated office for dealing with allegations against staff)

If you have concerns regarding an adult who works with a child then this should be reported to the Local Authority Designated Officer (LADO) **within one working day**.

To report a concern to LADO please use the notification form:

[LADO Position of Trust Referral document](#) – this can be found on CSCP website and by clicking the link.

Send completed forms to the Cumberland Safeguarding Hub, using any of the following methods:

(please note: if sending by email we advise that the document should be password protected)

- Tel: 03003 033892
- Fax: 01768 812090
- Email: lado@cumbria.gov.uk
- Post: LADO, Cumberland Safeguarding Hub, Skirsgill Depot, Penrith, Cumbria, CA10 2BQ

Please note if you are worried that a child is at risk of **immediate harm** please contact the Cumberland Safeguarding Hub on 0333 240 1727 or see [How to refer a child](#) on the CSCP website.

LADO working hours are Monday to Thursday 9am to 5pm and Friday 9am to 4.30pm.

- In case of emergency outside of the above hours please contact **Emergency Duty Team** on **0333 240 1727**.

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THE PROCEDURE

Reporting allegations to the Senior Manager

1. All allegations which may meet the criteria below must be reported to the Senior Manager (Headteacher). The criteria are that a member of staff may have:

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

Reporting to and consulting with the Local Authority Designated Officer (LADO)

1.1. The Senior Manager must inform the LADO of all allegations that meet the criteria **within one working day** and consult on whether the threshold for referral to Children's Services Social Care is met. Where there is evidence of a possible criminal offence, the referral to Children's Services Social Care will need to be made without delay to ensure that the police can begin a formal investigation and that forensic evidence is not lost or interviews with children or adults compromised.

1.2. The Senior Manager should take no other action with regard to the employee until after having taken advice from LADO

Role of the LADO

1.3. The LADO will provide advice and guidance on the allegation, liaise with the police and other agencies and monitor the progress of the case to ensure that it is dealt with as quickly as possible consistent with a thorough and fair process. This process will need to balance the requirements of protecting children and ensuring prosecution of any alleged offences whilst respecting the position of an adult whose future employment in terms of working with children may be at risk.

It is acknowledged that in any school there may be concerns about staff conduct that falls short of the above criteria, but which may be regarded as inappropriate conduct (e.g. alleged use of inappropriate forms of control such as shouting at children). These incidents are classed as **low-level concerns**; all such incidents should be reported to the school's Senior Manager who will then follow the procedures for 'Managing Low-Level Concerns' (**Appendix 2**).

1.4. The initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation of concern; in which case the decision and a justification for it should be recorded by both the Senior Manager and the LADO, and agreement reached on what information should be put in writing to the individual concerned and by whom. The Senior Manager should then consider with the LADO what action should follow both in respect of the individual and those who made the initial allegation.

NEXT STEPS

Threshold for referral NOT met

1.5. If the matter does not meet the criteria for referral to Children's Services Social Care, the matter will be dealt with by the Senior Manager acting under the advice and guidance of the LADO and following the procedures set out in **Appendix 2**.

1.6. The Senior Manager should inform the accused person about the allegation as soon as possible after consulting the LADO. It is extremely important that the Senior Manager provides them with as much information as possible at that time.

1.7. The allegation may be substantiated following further enquires and if substantiated may be addressed through guidance and/or training. Such incidents need to be dealt by the staff member's line manager under guidance of the school's Senior Manager using the school's procedures for addressing low-level concerns.

1.8. The school will therefore be responsible for considering the setting up of any disciplinary investigation, organising the interviewing and the support for the child and advising the parent and staff member as to the process and the outcome of the investigation. The Senior Manager will be required to report back to the LADO and advise how the matter has been concluded.

1.9. The Senior Manager will keep a record of all such cases and the record should be made available to the LADO. Clearly if the enquiries reveal that the allegation may be more serious than originally stated, further advice should be sought from the LADO as to whether the threshold for referral has now been reached.

Threshold for referral met

1.10. If the LADO and Senior Manager decide that a referral needs to be made to Children's Services a formal referral should be made by Senior Manager to the Safeguarding Hub.

1.11. The Cumbria Safeguarding Hub will use the procedures outlined by the CSCP Allegations Management Procedures (**Appendix 1**)

Summary of Allegations Management Procedures

Concern about a member of staff or a volunteer working with children

If a professional receives an allegation or has a concern about the behaviour of a member of staff working or volunteering with children and that concern could amount to:

- a) a member of staff or volunteer has behaved in a way that has harmed a child, or may have harmed a child;
- b) possibly committed a criminal offence against or related to a child; or
- c) behaved towards a child or children in a way that indicates they may pose a risk of harm to children.
- d) has behaved or may have behaved in a way that indicates they may not be suitable to work with children

Then that professional should:



Report their concerns

Report to concern to the most senior person not implicated in the allegation.



Completion of written record

Complete a written record of the nature of circumstances surrounding the concern, including any previous concerns. Include where the concern came from and brief details only.



Seek advice before proceeding – initial discussion

Always contact the Local Authority Designated Officer (LADO) for advice prior to investigating the allegation. This is because it might meet the criminal threshold and so your investigation could interfere with a Police or Social Care investigation.

Local Authority Designated Officer (LADO) – Tel: 03003 033892 or email: lado@cumbria.gov.uk

The LADO will offer advice on any immediate action required and will assist with employment and safeguarding issues.



Allegations Management Process

If, after your initial discussion with the LADO, it is agreed that the allegation meets the threshold, a Position of Trust referral should be submitted and will be recorded within the secure and confidential LADO system (LCS). A multi agency meeting may be convened, and a representative from the employing agency will be invited.



Further action

Further meetings may be required and these will be convened by the LADO, with your input at all times. Further information on the Allegations Management Process can be found in the Government document: Working Together to Safeguard Children 2018 Keeping Children Safe in Education 2020

cumbrialscb.proceduresonline.com/files/alleg_manage_fc.pdf

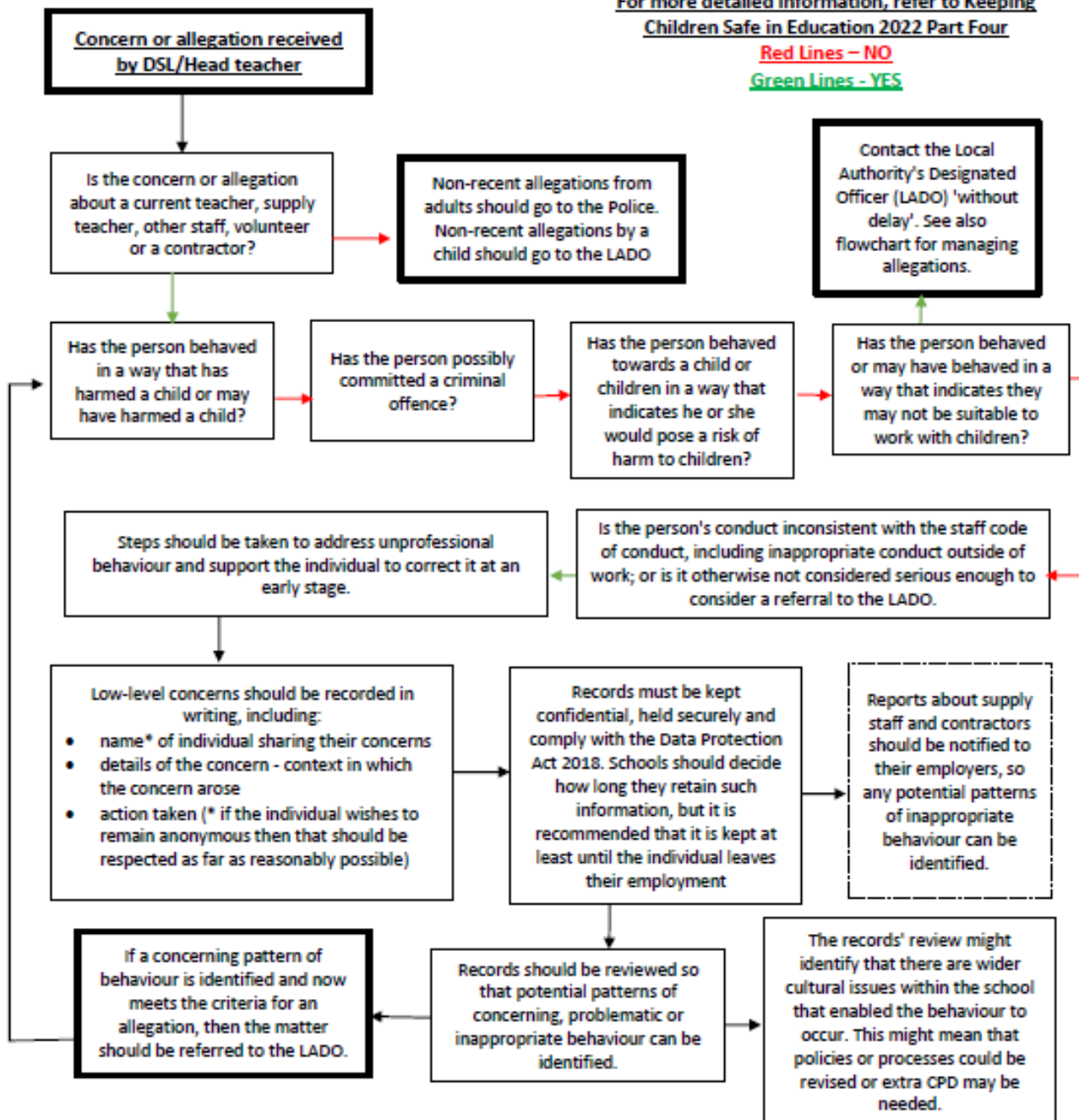


APPENDIX 2

MANAGING LOW-LEVEL CONCERNS RAISED IN RELATION TO TEACHERS, INCLUDING SUPPLY TEACHERS, OTHER STAFF, VOLUNTEERS AND CONTRACTORS

For more detailed information, refer to [Keeping Children Safe in Education 2022 Part Four](#)

Red Lines – NO
Green Lines – YES



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 at KCSIE (2022) paragraph 355. 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 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.