



Townhill Infant School

**ALLEGATIONS AND CONCERNS AGAINST STAFF, SUPPLY,
VOLUNTEERS AND CONTRACTORS GUIDANCE**

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1. Introduction

This guidance should be read in conjunction with:

- Keeping Children Safe in Education (KCSIE) document – Part four: Safeguarding concerns and allegations made about staff, including supply teachers, volunteers and contractors.
- School/Hamwic Education Trust (HET) Safeguarding and Child Protection Policy.

2. Scope

This guidance applies to allegations/concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors.

3. Main Changes

The main changes to the KCSIE 2022 guidance relating to Part 4: managing allegations is:

Retitled heading	Safeguarding concerns and allegations made about staff, including supply teachers, volunteers and contractors
Paragraph 420-421	Made clear that learning lessons applies to all cases not just those which are concluded and found to be substantiated.
Paragraph 433-436	Added information to provide clarity on the process for sharing and recording low-level concerns

4. Purpose

HET is required to follow the Department for Education's statutory guidance for schools on **Keeping Children Safe in Education 2022**. Part four of the guidance deals with managing cases of allegations that might indicate a person would pose a risk of harm if they continue working in regular or close contact with children, or in any capacity with children in a school.

Part four has been separated into two sections covering the two levels of concerns and allegations:

Section 1 - Concerns/allegations that may meet the harm threshold

This part of the guidance is about managing cases of concerns/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. In this part (section one) of the guidance, reference is made to 'allegation' for ease. This part of the 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 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. Contact should be made with HET to ascertain who would be the appropriate “case manager”.

Section 2 - Concerns/allegations that do not meet the harm threshold – referred to for the purposes of this guidance as ‘low-level concerns’

A low-level concern is any concern that an adult has acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work.
- Does not meet the allegations threshold or is not considered serious enough to refer to the local authority designated officer (LADO).

Examples of low-level concerns could include:

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

A Low-level concern is still a significant concern. should be reported to the school DSL and shared with the School Leader. Low-level concerns will be recorded and will include details of the concern, how the concern arose and the actions taken. Records should be reviewed so that patterns of concerning behaviour can be recognised and appropriate action can be taken. Schools are not required to share low-level concerns with the HET safeguarding team, unless a pattern of low-level concerns is evident and the threshold for referral to the LADO is met. Low-level concerns will not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance.

If you are in any doubt whether a behaviour meets the harm threshold, contact the LADO for advice.

5. Responsibilities of HET/schools:

- To set out a clear procedure for dealing with allegations.
- To follow the DfE statutory guidance in all cases where allegations of abuse are made against staff.
- To alert any of the following individuals when allegations are made under this guidance, prior to contacting the Local Authority Designated Officer (LADO):
 - CEO – Robert Farmer – 07595 046754
 - Deputy CEO: Gemma Carr – 07799902 971
 - Trust Safeguarding Officer: Ruth Davies (maternity cover) - 07395 792802
 - Head of HR – Beverley Collins - 07711 371381

- Senior HR Manager – Blaire Edwards – 07934 299351

- To notify the LADO.
- Ensure that all allegations are dealt with quickly, in a fair and consistent way, and making every effort to maintain confidentiality.
- Work in close liaison with the relevant LADO, and with the police and other agencies as appropriate.
- Ensure that any employee facing an allegation is provided with effective ongoing support through a named contact and regular updates about the progress of the case; advise the employee to contact their Trade Union representative (or full time official, if the employee is a TU rep), at the start of the process.
- Ensure that parents or carers of a child or children involved are told of the allegation, made aware of the prohibition on reporting or publishing allegations about teachers (which would include not publishing on social media), advised not to make any publications relating to any staff members, and are kept up to date with information about the progress of the case.
- Only suspend the person facing an allegation when absolutely necessary and when all options to avoid suspension have been considered. Schools must discuss the options available with HET HR or the Safeguarding team.
- At the conclusion of a case where the allegation is substantiated and the person is dismissed or removed from regulated activity, decide whether it is appropriate to make a referral to the (a) Disclosure and Barring Service (DBS) for consideration of inclusion on the barred lists and, (b) if a teacher whether to refer the matter to the Teacher Regulation Agency (TRA).
- Where an allegation is found to be unsubstantiated, malicious or deliberately invented, consider whether any follow-on actions are required in respect of the ‘accuser’ such as referral to the police or action under school behaviour policies.
- Carry out a case review at the conclusion of any case, to identify whether any improvements can be made.
- Keep a confidential record of all allegations made (other than those found to be malicious) on the individual’s personnel file; and not refer to false, unsubstantiated or malicious allegations in any references.
- Where an employee/ volunteer leaves a role prior to the conclusion of a case, ensure referral is made to DBS/TRA if they would have been removed if they had not resigned

5.1 Procedure for allegations against a School Leader

If an allegation is made against a School Leader the Governing Body should notify HET who will be responsible for notifying the LADO if appropriate and will lead an investigation into the allegations made.

5.2 Procedure for allegations against a Governor

If an allegation is made against a Governor, schools should notify HET who will oversee the matter and will decide on an appropriate investigative officer to lead the investigation. HET will be responsible for notifying the LADO if appropriate. Where an allegation is substantiated, consideration will be given to removing the Governor from their position.

6. Main LADO Contacts

Southampton
Jemma Swann
023 8091 5535/07500 952037
LADO@southampton.gov.uk

Portsmouth

023 9288 2500

LADO@secure.portsmouthcc.gov.uk

Poole

01202 817600 (main number)

LADO@bcpcouncil.gov.uk

Dorset

01305 221122

LADO@dorsetcouncil.gov.uk

7. What is the difference between an allegation and a complaint?

7.1 Allegation

An allegation, in the context of the statutory obligations or organisations relates to any individual who works or volunteers in any capacity with children and where there is a concern that this person has or may have:

- 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

In all cases where the concern about an individual falls into one of the categories above this will be considered to be an allegation, if it relates to a child, i.e. an individual who has not yet attained the age of 18

In all such cases the allegation must be reported to the Local Authority Designated Officer (LADO) as soon as possible, but must be within 24 hours. **Under no circumstances should an investigation be carried out or any action take until the matter has been referred to the LADO. Guidance should be sought from HET HR or the Safeguarding team.**

7.2 Complaint

Complaints are generally expressions of dissatisfaction or concern that may relate to the delivery of a service by a team or individual.

A complaint may also be an expression of dissatisfaction about procedures or policy or the way procedures and policies are implemented by any team, team member or the organisation.

HET has its own complaints policy and all such complaints should be addressed following that policy.

Where there is no indication that the complaint relates to harm or potential harm to a child there is no need to refer to the LADO.