



## **Integrity, Fellowship and Endeavour**

### **Allegations of Abuse by Adults Policy**

<b>Date of approval:</b>	<b>October 2025</b>
<b>Next Review Date:</b>	<b>June 2026</b>
<b>Review Period:</b>	<b>1 year</b>
<b>Status:</b>	<b>Recommended</b>

## **1. Introduction**

- 1.1 Farmor's School is committed to providing the highest level of care for both its pupils and staff. It is important that any allegations of harm against a child/children made against any member of staff or volunteer in our school is dealt with thoroughly and efficiently, maintaining the highest level of protection for the child, whilst also giving support to the person who is the subject of the allegation.
- 1.2 Our policy is in line with the Department for Education Statutory Guidance ***Keeping Children Safe in Education Part Four: Allegations of abuse made against teachers and other staff***.
- 1.3 This policy is designed to ensure that all staff, pupils and parents or carers are aware of the procedure for the investigation of allegations of harm against a child/children in order that all complaints are dealt with consistently and efficiently.
- 1.4 We hope that having a clear policy will help pupils to feel comfortable that they can voice concerns about any member of staff. Allegations will be reported to the Headteacher immediately, or to the chair of governors where the Headteacher is the subject of an allegation. All allegations will be taken seriously and investigated.

## **2. Purpose**

- 2.1 The approach to dealing with allegations against staff depends on the situation and circumstances surrounding the allegation. This policy must be followed when dealing with allegations but may be adapted to each case. This policy will be used alongside the school's **Complaints Procedure** and **Safeguarding Children Policy**.
- 2.2 This policy will be used when managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work with children. It should be used in any case where it is suspected or alleged that a member of staff, supply worker, contractor or a volunteer at the school may have:
  - behaved in a way that has harmed a child; and/or
  - 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 in a way that indicates they may not be suitable to work with children.

This will include, but is not limited to, allegations involving any type of abuse or neglect, inappropriate relationships with pupils, grooming behaviour of any kind, possession of indecent photographs or images of children and other offences under the Sexual Offences Act 2003.

- 2.3 'Harm' is defined in the Children Act 1989 (section 31) as:
  - ill-treatment or the impairment of health or development including, for example, impairment suffered from seeing or hearing the ill-treatment of another;
  - "development" means physical, intellectual, emotional, social or behavioural development;

- “health” means physical or mental health; and
  - “ill-treatment” includes sexual abuse and forms of ill-treatment which are not physical.
  - Where the question of whether harm suffered by a child is significant turns on the child’s health or development, their health or development shall be compared with that which could reasonably be expected of a similar child.
- 2.4 The last bullet point in 2.2 includes behaviour that may have happened outside of the school, that might make an individual unsuitable to work with children.
- 2.5 This policy does not deal with ‘low-level concerns’ about a member of staff or volunteer. A low-level concern is a concern that does not meet the threshold for harm against a child as set out in 2.2. 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 referral to the Local Authority Safeguarding Officer (LADO).
- 2.6 The procedure for dealing with low-level concerns is set out in the school’s **Conduct Policy**. The Headteacher (or Chair of Governors where the allegation is against the head teacher) will determine whether the concern constitutes an allegation of harm or a low-level concern, and act in accordance with the appropriate procedure.

### 3. Timescale

- 3.1 Allegations against staff must be dealt with as quickly as possible to:
- minimise the risk to the child;
  - minimise the impact on the child’s academic progress;
  - minimise stress to the employee concerned;
  - ensure a fair and thorough investigation for all parties.
- 3.2 Keeping Children Safe in Education proposes the following timescales:
- Allegations must be reported to the headteacher without delay.
  - When to inform the individual subject to the allegation should be considered carefully on a case by case basis.
  - Parents or carers of the child or children involved should be formally told about the allegation as soon as possible.
  - Where the school identify a child has been harmed, that there may be an immediate risk of harm to a child or if the situation is an emergency, children’s social care and as appropriate the police should be contacted immediately.
  - Before contacting the LADO, schools should conduct basic enquiries to establish the facts to help them determine whether there is any foundation to the allegation, being careful not to jeopardise any future police investigation.

- 3.3 Once an allegation is being managed by the LADO and/or police, timescales are not within the control of the school.

## **4. Procedure**

### **4.1 Reporting an allegation**

- 4.1.1 All concerns of poor practice or possible harm to a child by adults should be reported immediately to the Headteacher. Concerns about the Headteacher should be reported to the Chair of Governors. The Headteacher or Chair of Governors, as appropriate, takes the role of the Case Manager.
- 4.1.2 Employees or volunteers who are concerned about the conduct of a colleague towards a pupil are placed in a very difficult situation. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career. All staff must remember that the welfare of the child is paramount and must report their concerns immediately.
- 4.1.3 The Case Manager should make sufficient enquiries to enable them to determine whether an allegation is clearly false or malicious. However, such action must only be carried out for this purpose, must not prejudice any subsequent investigation and does not form part of a formal investigatory process.
- 4.1.4 There are two aspects to consider when an allegation is made:
- **Looking after the welfare of the child.** The Designated Safeguarding Lead (DSL) is responsible for ensuring that the child, other children in the community and the family of the member of staff are not at risk and referring cases of suspected abuse to the local authority children's social care.
  - **Investigating and supporting the person subject to the allegation.** The case manager should discuss with the LADO the nature, content and context of the allegation, and agree a course of action.
- 4.1.5 If the paragraph 4.1.3 enquiry does not determine that the allegation is clearly false or malicious the Local Authority Designated Officer (LADO) will be contacted by the Case Manager before any investigation takes place to discuss whether:
- no further action is needed; or
  - a strategy discussion should take place; or
  - there should be immediate involvement of the police or social care.
- 4.1.6 The school will share available information with the LADO about the allegation, the child, and the person against whom the allegation has been made and consider whether a police investigation or a Strategy Discussion is needed. Representatives from other agencies may be invited to the discussion and could include representatives from health, social care and police.

## 4.2 Investigation

- 4.2.1 An investigation into an allegation will normally be carried out by the police, children's social services or the school. This will be agreed at the initial evaluation stage. Where the school is not conducting the investigation, it will cooperate with investigative agencies.
- 4.2.2 Internal investigations must be second to any safeguarding investigation and may need to be delayed until the external investigation is complete.
- 4.2.3 Where an internal investigation is instigated, the Headteacher will usually take the role of Case Manager and will appoint an Investigating Officer. The Case Manager will provide a written instruction outlining the allegation and scope of the investigation to the Investigating Officer. The investigation will be carried out in line with this instruction. The Investigating Officer will check with the Case Manager if information comes to light which may affect the scope of the investigation. Any changes to the scope of the investigation should be noted, along with reasons, in the written instructions.
- 4.2.4 The Case Manager will oversee the allegation process, ensuring that the required procedures are followed and the relevant parties are kept informed. The full duties and responsibilities of the Case Manager are set out in **Keeping Children Safe in Education Part Four** and the Case Manager shall have regard to this guidance throughout the process.
- 4.2.5 The Investigating Officer may take advice from the school's Human Resource provider and/or use their guidance and standard templates for allegation investigations. However, the Investigating Officer may, with the agreement of the Case Manager, carry out the investigation in any way that is appropriate given the specific circumstances and nature of the allegation.
- 4.2.6 The Investigating Officer will present a written report to the Case Manager following the completion of the investigation setting out the findings and conclusions of the investigation.
- 4.2.7 The following definitions should be used when determining the outcome of allegation investigations:

**Substantiated:** there is sufficient evidence to prove the allegation.

**Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject of the allegation.

**False:** there is sufficient evidence to disprove the allegation.

**Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

**Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made.

### **4.3 Supporting those involved**

#### **4.3.1 The person(s) who makes the allegation and their parents/carers**

- 4.3.1.1 Parents and carers will be notified if their child makes or is involved in an allegation against staff if they do not already know. However, if the police or social services are to be involved, they will be contacted first and will advise as to what information may or may not be disclosed to the parents. Parents and carers will be made aware of any progress in the investigation and where there is no criminal prosecution, the outcome will be explained to them.
- 4.3.1.2 Where disciplinary action is taken by the school, parents and carers will be informed that the school is acting in accordance with its Conduct Policy in holding the employee to account for their actions. Reassurance will be provided that the school has acted appropriately, but the details and outcomes of the disciplinary process are confidential.
- 4.3.1.3 Social services and the police may be involved and will provide the school with advice on what type of additional support the child may need.

#### **4.3.2 The employee**

- 4.3.2.1 Farmor's School has a duty of care to its employees and will do everything reasonable to minimise the stress of any allegation and the disciplinary process. The school will:
- manage and seek to minimise the stress caused by the allegation;
  - advise the individual to contact their trade union representative, or a colleague for support;
  - appoint a named representative to keep the person informed about progress of the case;
  - provide access to counselling or medical advice where appropriate.
- 4.3.2.2 The person who is the subject of the investigation will be informed as soon as deemed appropriate after the allegation has been made. The employee will then be advised on what the next course of action will be. However, if the police or social services are to be involved, they will be contacted before the employee and will advise as to what information may be disclosed to the person under investigation.
- 4.3.2.3 The Case Manager will keep the employee informed as to the progress of the case and any other work-related issues.
- 4.3.2.4 The employee may need additional support and the school will consider what might be appropriate to best accommodate this.

### **5. Confidentiality**

- 5.1 The school will make every effort to guard the privacy of all parties during and after an investigation into an allegation. It is in everyone's best interest to maintain this confidentiality to ensure a fair investigation with minimum impact for all parties.
- 5.2 A breach of confidentiality will be taken seriously and may warrant its own investigation.

5.3 All parties should note that it is a criminal offence to publish information that could lead to the identification of a teacher who is the subject of an allegation (Education Act 2002, amended 2011). The term ‘publish’ is defined in legislation as “*any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public.*”

5.4 Parents or carers must be informed about need for confidentiality and the reasons for this.

## **6. Suspension**

6.1 The school will not suspend a member of staff without serious consideration and will not do so automatically following an allegation. All options to avoid suspension should be considered. Suspension should be considered only in cases where there is cause to suspect a child or other children at the school is/are at risk of harm, or the case is so serious that it might be grounds for dismissal.

6.2 The alternatives to suspension are set out in **Keeping Children Safe in Education**.

6.3 Further details about suspension can be found in **Keeping Children Safe in Education**.

## **7. Resignations**

7.1 If an employee resigns following an allegation or during an investigation, the investigation will continue until an outcome has been reached, with or without the employee’s cooperation. They will be given full opportunity to answer the allegation.

7.2 Settlement agreements will not be used in situations which are relevant to these procedures.

7.3 Other than where allegations are false, malicious, unsubstantiated, or unfounded, the outcome will be made clear when providing references to prospective employers. This is particularly important where the person moves into another position involving working with children.

## **8. Record keeping**

8.1 Where an allegation is found to be malicious or false, it will be removed from the record of the employee concerned.

8.2 For all other allegations, records of the allegation and outcomes will be kept in the employee’s personal file and they will be given a copy. The record will be kept, including for people who leave the organisation, at least until the person reaches normal retirement age or for 10 years if that will be longer, from the date of the allegation. The required information is set out in **Keeping Children Safe in Education**.

8.3 Details of any allegation made by a pupil will be kept in the confidential section of their record.

## **9. Action on conclusion of the case**

- 9.1 If it is decided that the employee may return to school after a suspension then provisions will be put in place by the school to ensure that their return is as smooth as possible. This may involve a phased return for a trial period or the use of another member of staff as a support system in the short term. If the child who made the allegation is still at the school, the school will consider what needs to be done to manage the contact between employee and child.

### **9.2 Action in the case of false or malicious allegations**

- 9.2.1 Where an allegation is proved to be false, the Headteacher and chair of governors may refer to social services to determine whether the child needs support or has been abused by someone else.
- 9.2.2 The school's **Behaviour and Exclusion Policy** sets out the disciplinary action that may be taken against pupils who are found to have made malicious accusations against school staff.
- 9.2.3 If the claim has been made by a person who is not a pupil, the school will pass the information to the police who may take further action against that person.

## **10. After the case**

- 10.1 In all situations, the school will review the case to see if there are any improvements that can be made in its practice or policy that may help to deal with cases in the future.