



Statement of procedures for dealing with allegations of abuse against staff

Statutory

Reviewed: September 2025

Next Review Date: October 2026

Role Responsible: Exec Head



Odyssey Educational Trust adopts the framework for managing allegations and concerns in relation to teachers, including supply teachers, other staff, volunteers and contractors from the Government guidance: "*Keeping Children safe in Education*" (Sept 2025)

Introduction

It is essential that any allegation of harm or unsuitable behaviour made against a teacher or other member of staff/volunteer/supply teacher/coach in an education setting is dealt with quickly and consistently in a way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

Scope

This Policy applies to anyone working with children and young people who has had an allegation made against them (KCSIE Sept 2025)

This policy differentiates two levels of allegation/ concern

- 1) Allegations that may meet the harms threshold
- 2) Allegations/concerns that do not meet the harms threshold - referred to in this policy as "low level concerns"

The allegations may relate to the person's behaviour at work, at home or in another setting which makes or may make the person unsuitable to work with children. This is known as transferable risk. This Policy may also apply where relevant concerns arise about the behaviour in the private life or community life of a partner, member of the family or other household member.

Allegations of historical abuse should be responded to in the same way as contemporary concerns. In such cases, it is important to find out whether the person against whom the allegation is made is still working with children and if so, to inform the person's current employer or voluntary organisation or refer their family for assessment.

Allegations that may meet the harms threshold

This part of the policy should be applied where it is alleged that anyone working in school, including volunteers, supply teachers, peripatetic teachers and contractors has:

- **behaved in a way that has harmed, or may have harmed, a child and/or**
- **possibly committed a criminal offence against or in relation 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 that they may not be suitable to work with children

Procedure

The Procedure followed by the school will be informed by the professional judgement of the Executive Headteacher/ Head of school based on the evidence available, and after consultation with the Local Authority Designated Officer (LADO), Human Resources. The Executive Headteacher will be the ultimate decision-maker in respect of all low-level concerns

Responding to an allegation or complaint

The Executive Headteacher (or Head of School where appropriate) is the member of staff who responds to an allegation or complaint.

The person receiving the information will report the matter immediately to the Executive Headteacher (or Head of School where appropriate) or, where the allegation involves the Executive Headteacher, the Chair of the Trust Board (Kate Smith).

Where the school identifies that a child has been harmed or there is immediate risk of harm to a child or if the situation is an emergency they should contact social care and the police immediately.

When an allegation is made the school will:

- Apply common sense and judgement
- Deal with allegations quickly, fairly and consistently
- Provide effective protection for the child and support the person subject to the allegation

Before contacting the LADO - the school should conduct basic enquiries to establish the facts and whether there is any foundation to the allegation while being careful not to investigate and jeopardise further police enquiries. Examples may include establishing whether the individual has access to or contact with the child, where they were in school at the time of the allegation and whether there are any witnesses or CCTV footage.

The school will take advice from the LADO on when and how to inform the individual of the allegation on a case by case basis. A discussion with LADO may lead to a strategy discussion involving the police and or social care. Where there are other children who may be at risk (for example the individual's family) these will be discussed with the DSL and a referral to children's social care may be necessary.

No further action

The initial conversation may lead to no further action. The case manager and LADO will record the decision and the reason for it and agree what information should be communicated to the individual concerned and how this will be communicated.

Further enquiries

Further enquiries may be needed in order to make a decision about how to proceed. This process will be undertaken by a member of SLT (the case manager). The LADO will provide advice and guidance on who the appropriate investigatory body should be (the police, children's social care, school or a combination of all these).

Supply Teachers and contracted staff

In some circumstances the school will have to consider an allegation against an individual not employed directly by them. In no circumstances will the school cease using a supply teacher or other contractor without taking appropriate action and liaising with the LADO. Concerns regarding supply staff, staff, agency staff or contractors will always be reported to their employer.

Supporting those involved

The Executive Headteacher or Head of School will inform the accused person of the allegation as soon as possible ***after prior consultation with the LADO.***

The welfare of the child is paramount and will be the prime concern in terms of investigating allegations. The Trust recognises that investigating an allegation is likely to be a very stressful experience for the adult concerned. The adult concerned will be offered confidential free counselling and will be allocated a named adult that they can contact directly with concerns or questions. Information is confidential and should not be shared with other staff or children who are not directly involved in the allegation.

The school will:

- Offer specific support in order to help manage the stress caused by the allegation
- Inform the individual as soon as possible, explaining the likely course of action
- Advise the individual to contact their trade union as soon as possible
- Provide a named person to liaise with the individual about the progress of the case and to address any question that may arise
- Provide access to a counselling service where appropriate
- Not prevent social contact with work colleagues unless there is evidence that this may prejudice the gathering of evidence

Parents or carers of the child/ children should be:

- formally told about the allegation as soon as possible, (the case manager should consult the LADO and where involved children's social care and/or the police on what information can be disclosed)
- kept informed about the progress of the case, only in relation to their child - no information can be shared regarding the staff member;
- made aware of the requirement to maintain confidentiality and unwanted publicity about any allegations made against teachers in schools whilst investigations are in progress as set out in section 141F of the Education Act 2002

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

Confidentiality

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

Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002 (see paragraph 125). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

The case manager should take advice from LADO, police and children's social care to agree the following:

- who needs to know and exactly what information can be shared
- how to manage speculation leaks and gossip
- what information can be shared with the wider community
- how to manage press interest if and when it arises

Allegation outcomes

The definitions that should be used when schools determine the outcome of an allegation are set out below:

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

If the allegation is substantiated and:

- the person is dismissed; resigns, or otherwise ceases to provide his or her services; or
- the employer ceases to use the person's services.

The school has a legal duty to make a referral to the DBS for consideration of whether inclusion on the barred lists is required. In the case of a member of teaching staff the case manager **MUST** consider whether to refer the matter to the TRA to consider prohibiting the individual from teaching

Following a criminal investigation or a prosecution, the LADO will discuss with the case manager whether any further action including disciplinary action is appropriate.

Unsubstantiated, unfounded, false or malicious allegations

Where allegations are found to be unsubstantiated, unfounded or false, the school will consider whether the person making the accusation needs help, or may have been abused themselves. If a report is found to be deliberately invented or malicious, the school may take further disciplinary action against the person making the false claim.

Record Keeping

Details of allegations that are found to have been malicious will be removed from personnel records. However, for all other allegations, it is important that the following information is kept on the file of the person accused:

- a clear and comprehensive summary of the allegation;
- details of how the allegation was followed up and resolved;
- a note of any action taken, and decisions reached and the outcome as categorised above;
- a copy provided to the person concerned, where agreed by children's social care or the police; and,
- a declaration on whether the information will be referred to in any future

reference. A copy will also be provided to the person concerned.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent

unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

References

Where an allegation is found to be false, unfounded, unsubstantiated or malicious details should NOT be included in references. Substantiated allegations should be included references and should be kept to a factual basis.

Concerns that do not meet the harm threshold

As part of their whole school approach to safeguarding, Odyssey Educational Trust promotes an open and transparent culture in which all concerns about all adults working in or on behalf of schools (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 harm 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 the school 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 are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the Trust.

Low Level Concerns

Low level concerns are those which do not meet the threshold for allegations of abuse set out in part one of this policy. Concerns may be minor and suggest that an adult in school may have acted in a way that is inconsistent with the Trust Code of Conduct and ethos, including inappropriate conduct outside of work which does not meet the harm threshold or is not serious enough to refer to the LADO. Low-level concerns can arise in several ways from various sources, e.g. suspicion, complaint or a disclosure.

Examples may include, but are not limited to

- being over friendly with children or having favourites
- shouting unnecessarily or humiliating children
- taking photographs of children on their mobile phone for inappropriate purposes not agreed in the acceptable use policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating or offensive language

All such concerns relating to inappropriate conduct should be shared immediately with the Executive Head teacher or in their absence, Heads of School and will be recorded and dealt with appropriately in line with other school policies.

Staff Code of Conduct and Safeguarding policies

Low level concerns are identified in the staff code of conduct and may also be referred to in the staff disciplinary policy.

The school will:

- Ensure that all staff are aware of expectations of conduct and behaviour as part of ongoing safeguarding training through Safer Working Practice
- Ensure that all staff are familiar with and have access to relevant policies (Safeguarding, Staff Disciplinary Policy and the Code of Conduct) and receive up to date training on the implementation of such policies and the staff Code of Conduct
- Make clear the process and expectations for raising any low-level concerns relating to staff conduct
- Addressing inappropriate and unprofessional behaviour at an early stage

Recording low level concerns

All low-level concerns should be recorded in writing. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

Low level concerns will be written up using a low-level concern form and stored securely in the individual's HR file. A summary of concerns will be held electronically so that patterns or further training needs can be identified. Where a pattern of inappropriate behaviour is identified, the school will decide on a course of action, either through the disciplinary procedure or where a pattern of behaviour moves from a concern to meeting the harms threshold, in which case it should be referred to the LADO. Records of low-level concerns will be kept until the individual leaves the employment of the Trust.

Responding to low level concerns

Where the concern has been raised by a 3rd party, an appropriate member of SLT will collect as much evidence as possible by

- speaking directly to the person who raised the concern unless it is raised anonymously
- speaking to the individual that the concern is raised about
- any witnesses

Following the collection and analysis of information - a decision will be made about any further action that may need to be taken. The Executive Head teacher will be the final decision maker in respect of low-level concerns and any action taken. Decisions and rationale will be recorded and kept in HR files and in the electronic summary.

Learning Lesson

Throughout the process in handling allegations and at the conclusion of a case in which an allegation is substantiated, the LADO should review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the school's procedures to help prevent similar events in the future.

This should include issues arising from any decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The LADO and case manager should consider how future investigations of a similar nature could be carried out without suspending the individual.

For all other cases, where the allegation is concluded to be either, unfounded, false, malicious or unsubstantiated the case manager (and if they have been involved the LADO) should consider the facts and determine whether any lessons can be learned and if improvements can be made.