

THE LION WORKS SCHOOL POLICY



Statement of Procedures for Dealing with Allegations of Abuse against Staff Policy (Managing Allegations Policy)

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1. Introduction

The Lion Works School is committed to safeguarding and keeping all of its students and staff safe from harm. This policy is to be read in conjunction with our Safeguarding Policy and our Low Level Concern Policy and is in place to outline our procedures for dealing with any allegations of abuse made against staff.

2. Legislation and statutory guidance

- This policy is based on the Department for Education's statutory guidance [Keeping Children Safe in Education](#) and [Working Together to Safeguard Children \(2018\)](#). We comply with this guidance and the arrangements agreed and published by our 3 local safeguarding partners and the procedures outlined in the Pan-Dorset Safeguarding Children's Partnership: <https://pdscp.co.uk/>.

This policy is also based on the following legislation:

- Part 3 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which places a duty on academies and independent schools to safeguard and promote the welfare of students at the school
- [The Children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of children
- [The Human Rights Act 1998](#), which explains that being subjected to harassment, violence and/or abuse, including that of a sexual nature, may breach any or all of the rights which apply to individuals under the [European Convention on Human Rights](#) (ECHR)
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- [Statutory guidance on FGM](#), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what 'regulated activity' is in relation to children
- The [Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with children
- [The Equality Act 2010](#), which makes it unlawful to discriminate against people regarding particular protected characteristics (including disability, sex, sexual orientation, gender reassignment and race). This means our governors and headteacher should carefully consider how they are supporting their students with regard to these characteristics. The Act allows our school to take positive action to deal with particular disadvantages affecting students (where we can show it's proportionate). This includes making reasonable adjustments for disabled students. For example, it could include taking positive action to support girls where there's evidence that they're being disproportionately subjected to sexual violence or harassment

We also comply with the arrangements agreed and published by Pan-Dorset Safeguarding Children's Partnership: <https://pdscp.co.uk/> and we are mindful of the role of the [Teaching Regulation Agency](#).

3. Allegations of abuse made against staff

Section 1: Allegations that may meet the harms threshold

This section applies to all cases in which it is alleged that a current member of staff, including a supply teacher, volunteer or contractor, 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 they 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 – this includes behaviour taking place both inside and outside of school

If we are in any doubt as to whether a concern meets the harm threshold, we will consult our local authority designated officer (LADO): LADO@bcpcouncil.gov.uk.

We will deal with any allegation of abuse quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

A 'case manager' will lead any investigation. This will be the Headteacher, or a member of the school board, where the Headteacher is the subject of the allegation. The case manager will be identified at the earliest opportunity.

Our procedures for dealing with allegations will be applied with common sense and judgement, we will always endeavor to deal with allegations quickly, fairly and consistently and we will ensure we provide effective protection for the child and support the person subject to the allegation.

Suspension of the accused until the case is resolved

Suspension of the accused will not be the default position and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that there might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the school so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children
- Redeploying the individual to alternative work in the school so that they do not have unsupervised access to children

- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents/carers/guardians have been consulted

If in doubt, the case manager will seek views from the school's Executive Directors and the designated officer at the local authority, as well as the police and children's social care where they have been involved.

Definitions for outcomes 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 to cause harm to the 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 (this 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. Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the case manager will take the following steps:

- Conduct basic enquiries in line with local procedures to establish the facts to help determine whether there is any foundation to the allegation before carrying on with the steps below
- Discuss the allegation with the designated officer at the local authority (LADO). This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer and the police or children's social care services, where necessary. Where the police and/or children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the school is justified or whether

alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate

- Where the case manager is concerned about the welfare of other children in the community or the individual's family, they will discuss these concerns with the DSL and make a risk assessment of the situation. If necessary, the DSL may make a referral to children's social care
- **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the school and their contact details
- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or children's social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate. Individuals may wish to seek trade union support or turn to a colleague for advice.
- Inform the parents, carers or guardians of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents, carers or guardians of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent, carer or guardian who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice
- Keep the parents, carers or guardians of the child/children involved informed of the progress of the case (only in relation to their child – no information will be shared regarding the staff member)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

If the school is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the Teaching Regulation Agency.

Where the police are involved, wherever possible the school will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the school's disciplinary process, should this be required at a later point.

Additional considerations for supply teachers and all contracted staff

If there are concerns or an allegation is made against someone not directly employed by the school, such as a supply teacher or contracted staff member provided by an agency, we will take the actions below in addition to our standard procedures.

- We will not decide to stop using an individual due to safeguarding concerns without finding out the facts and liaising with our designated officer to determine a suitable outcome
- The School Board will discuss with the agency whether it is appropriate to suspend the individual, or redeploy them to another part of the school, while the school carries out the investigation
- We will involve the agency fully, but the school will take the lead in collecting the necessary information and providing it to the designated officer as required
- We will address issues such as information sharing, to ensure any previous concerns or allegations known to the agency are taken into account (we will do this, for example, as part of the allegations management meeting or by liaising directly with the agency where necessary)

When using an agency, we will inform them of our process for managing allegations, and keep them updated about our policies as necessary, and will invite the agency's HR manager or equivalent to meetings as appropriate.

5. Timescales

We will deal with all allegations as quickly and effectively as possible and will endeavour to comply with the following timescales, where reasonably practicable:

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious should be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, appropriate action should be taken within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, this should be held within 15 working days

However, these are objectives only and where they are not met, we will endeavour to take the required action as soon as possible thereafter and keep all parties informed throughout the process.

6. Specific actions

Action following a criminal investigation or prosecution

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

Conclusion of a case where the allegation is substantiated

If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the school will make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the school will consider whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching.

Individuals returning to work after suspension

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the school.

7. Unsubstantiated, unfounded, false or malicious reports/allegations

If a report/allegation is:

- Determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to children's social care may be appropriate
- Shown to be deliberately invented, or malicious, the school will consider whether any disciplinary action is appropriate against the individual(s) who made it will consider whether any disciplinary action is appropriate against the individual(s) who made it

8. Confidentiality and information sharing

The school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the designated officer, police and children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality

- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

9. Record-keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case.

The records of any allegation that, following an investigation, is found to be malicious or false will be deleted from the individual's personnel file (unless the individual consents for the records to be retained on the file).

For all other allegations (which are not found to be malicious or false), the following information will be kept on the file of the individual concerned:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken, decisions reached and the outcome
- A declaration on whether the information will be referred to in any future reference

In these cases, the school will provide a copy to the individual, in agreement with children's social care or the police as appropriate.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

10. References

When providing employer references, we will:

- Not refer to any allegation that has been found to be false, unfounded, unsubstantiated or malicious, or any repeated allegations which have all been found to be false, unfounded, unsubstantiated or malicious
- Include substantiated allegations, provided that the information is factual and does not include opinions

11. Lessons Learned Exercises

After any cases where the allegations are *substantiated*, the case manager will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to the school's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

For all other cases, the case manager will consider the facts and determine whether any improvements can be made.

12. Non-recent allegations

Abuse can be reported, no matter how long ago it happened.

We will report any non-recent allegations made by a child to the designated officer in line with our local authority's procedures for dealing with non-recent allegations.

Where an adult makes an allegation to the school that they were abused as a child, we will advise the individual to report the allegation to the police.

13. Procedure for dealing with allegations - Section 2: concerns that do not meet the harm threshold

This section applies to all concerns (including allegations) about members of staff, including supply teachers, volunteers and contractors, which do not meet the harm threshold set out in section 1 above.

Concerns may arise through, for example:

- Suspicion
- Complaint
- Safeguarding concern or allegation from another member of staff
- Disclosure made by a child, parent or other adult within or outside the school
- Pre-employment vetting checks

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

14. Definition of low-level concerns

Please also refer to our Low Level Concerns Policy. The term 'low-level' concern is any concern – no matter how small – 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 designated officer at the local authority

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

- Being overly 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
- Humiliating students

15. Sharing low-level concerns

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
- Empowering staff to share any low-level concerns and to self-refer
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised
- Helping to identify any weakness in the school's safeguarding system

Responding to low-level concerns

If the concern is raised via a third party, the Headteacher will collect evidence where necessary by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously
- To the individual involved and any witnesses

The Headteacher will use the information collected to categorise the type of behaviour and determine any further action, in line with the school's Low Level Concerns Policy and the Staff Code of Conduct. The Headteacher will be the ultimate decision-maker in respect of all low-level concerns, though they may wish to collaborate with the DSL.

16. Record keeping

All low-level concerns will be recorded in writing. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken. These will be saved in the secure area on the school's drive.

Records will be:

- Kept confidential, held securely and comply with the DPA 2018 and UK GDPR
- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms threshold as described in section 1 of this appendix, we will refer it to the designated officer at the local authority
- Retained at least until the individual leaves employment at the school

Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

17. References

We will not include low-level concerns in references unless:

- The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or
- The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance

18. Duty of Care

The welfare of the child is paramount. When an allegation or safeguarding concern is being investigated this can be a very stressful experience for the adult subject to the investigation, and potentially for their family members. It is important as an employer that we offer appropriate welfare support and recognise the sensitivity of the situation. Information is confidential as detailed in this policy and associated policies.

As an employer the school will support the subject of an allegation by endeavoring to:

- Manage and minimise the stress caused by the allegation
- Inform the individual as soon as possible, explaining the likely course of action, guided by the LADO, and the policy where necessary
- Advise the individual to contact their trade union or a colleague for support
- Appoint a named representative to keep the person informed about the progress of the case
- Signpost to counselling or medical services where appropriate
- Not prevent social contact with work colleagues and friends, when staff are suspended, unless there is evidence to suggest this may prejudice the gathering of evidence

As a school we will endeavor to support parents or carers of the child or children involved by:

- Formally telling them about the allegation as soon as possible, this will be in consultation with the LADO and other agencies if appropriate
- Keeping them informed about the progress of the case in relation to their child
- Making them aware of the requirements for confidentiality but appointing a key person to whom they can speak to at school at any time practicable when they would like to do so

19. Returning to work or managing the situation and exit arrangements

Where it has been decided on the conclusion of a case that a person who has been suspended can return to work, the case manager will consider how best to facilitate this. They will likely ask for HR or LADO guidance on this.

Settlement agreements, or compromise agreements, will **never** be used by the school in the event a member of staff offers to resign rather than face disciplinary action when there is an allegation relating to abuse involving that member of staff.

If a member of staff resigns the school will cease the investigation. With the guidance and support from LADO and other appropriate agencies the school will see the investigation through to its conclusion as fully as possible.

20. Monitoring Arrangements

This policy will be reviewed every year by the Headteacher. At every review, the policy will be shared with and approved by the CEO, with advice and feedback from the School Board.

21. Links with other policies

This Policy should be read in conjunction with the:

- Low Level Concerns Policy
- Child Protection and Safeguarding Policy
- Whistleblowing Policy
- Staff Code of Conduct
- Complaints Policy
- Staff Grievance Policy
- Staff Disciplinary Policy and Procedures

Appendix 1: Government Research: [DfE Managing Allegations Research](#)

Appendix 2: Contact details

Safeguarding contacts at The Lion Works School

Role:	Name:	Contact details
Designated Safeguarding Lead (DSL)	Kelly Twitchen	kelly@thelionworksschool.org
Deputy Designated Safeguarding Lead (DDSL)	Justine Collinson	justine@thelionworksschool.org
	Tracey Lockwood	tracey@thelionworksschool.org
PREVENT lead	Dan Ringrow	dan@thelionworksschool.org
Designated Teacher for CiC	Kelly Twitchen	kelly@thelionworksschool.org
Anti-Bullying Champion	Kelly Twitchen	kelly@thelionworksschool.org
Online Safety Champion	Ben Mitchell	ben@thelionworksschool.org
SLT Attendance Lead	Kelly Twitchen Tracey Lockwood	kelly@thelionworksschool.org tracey@thelionworksschool.org
Attendance Officer	Kim Nichols Glenda Downes	kim@thelionworksschool.org glenda@thelionworksschool.org
SENDCO	Tracey Lockwood	tracey@thelionworksschool.org
Safeguarding Board member	Sarah Remple	governance@thelionworksschool.org

External Local contact details

ROLE / ORGANISATION	NAME	CONTACT DETAILS
Local Authority Designated Officer (LADO)	BCP (Bournemouth, Christchurch & Poole):	LADO Service (BCP) LADO@bcpcouncil.gov.uk 01202 - 817600
	Laura Baldwin Tel: 01202 128058 Laura.Baldwin@bcpcouncil.gov.uk	BCP LADO Website
BCP Council – Education Safeguarding Advisors	Sue Wickings	sue.wickings@bcpcouncil.gov.uk 01202 -817839

BCP First Response Hub (MASH)	Bournemouth, Christchurch & Poole BCP First Response team	childrensfirstresponse@bcp.gov.uk 01202-735046
Dorset Police	https://www.dorset.police.uk/contact	101 non-emergency number 101@dorset.pnn.police.uk
Dorset Safeguarding and Standards Advisor	Dorset: Lynne Bowman	lynne.bowman@dorsetcouncil.gov.uk 01305- 224034
Local Authority Designated Officer (LADO)	Dorset: Martha Sharp	LADO@Dorsetcc.gov.uk 01305-228309
Pan Dorset Safeguarding Children Partnership (P-DSCP)	Pan Dorset https://pdscp.co.uk/	pan-dorsetscp@dorsetcouncil.gov.uk 01305-221196
PREVENT: Channel helpline	https://www.gov.uk/government/publications/channel-and-prevent-multi-agency-panel-pmap-guidance	020-7340-7264
DfE South West Prevent Education Co-ordinator	Cheri Fayers:	Cheri.FAYERS@education.gov.uk
PREVENT Coordinator for London / DfE	Jennie Fisher:	jennie.fisher@education.gov.uk Telephone: 07880 469 588
DORSET CSC Children's Advice and Duty Service (ChAD)	Children's Advice and Duty Service (ChAD) Name: Single point of contact for safeguarding concerns Tel: 01305228866 Westport House Worgret Road Wareham BH20 4PP	Professional's Telephone Number: 01305 228558