



# Allegations of abuse against staff

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| <b>Approved by:</b> | Paula Tucker | <b>Date:</b> 15/9/25 |
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### 1. Policy Statement (Purpose and Scope)

This policy applies to all staff, volunteers, contractors, and supply staff at ReFocus. It sets out procedures for responding to allegations of abuse or safeguarding concerns against adults working in the school. Allegations may relate to behaviour inside or outside school, including historical allegations. The school is committed to handling all cases in a timely, fair, proportionate manner that safeguards children while providing appropriate support to staff.

### 2. Types of Allegations

2.1 Allegations fall into two main categories:

- Harm threshold allegations: behaviours that indicate a member of staff has harmed a child, committed a criminal offence, poses a risk of harm, or is unsuitable to work with children.
- Low-level concerns: behaviours that do not meet the harm threshold but are inconsistent with the staff code of conduct or professionalism.

### 3. Low-Level Concerns

3.1 Low-level concerns are defined in KCSIE as behaviours inconsistent with the code of conduct, including inappropriate conduct outside of work that does not meet the allegation threshold or is otherwise not considered serious enough to consider a referral to the LADO. Examples include:

- Inappropriate or overly familiar language or behaviour.
- Misuse of personal devices or social media.
- Conduct that undermines professional boundaries.

3.2 The aim of this policy is to both empower staff to share low-level safeguarding concerns with the headteacher/DSL and encouraged staff to self-refer where they have concerns about their own behaviour.

3.3 All low-level concerns must be recorded and monitored for potential patterns, including those involving online activity such as misinformation, disinformation, or conspiracy theories. The purpose is to address concerns early and prevent escalation.

### 4. Suspension and Alternatives

4.1 Suspension will not be the default response to an allegation.

4.2 Based on an assessment of risk, we will consider alternatives such as: Alternatives include redeployment, supervision, or temporary adjustments. Where suspension is imposed, it will be reviewed regularly to ensure it remains proportionate.

4.3 We will only suspend an individual where it is believed a child is at risk of harm, the case warrants police involvement, or the staff member's presence could hinder the investigation. (See Appendix A for flow chart of decisions and actions)

## **5. Outcomes of Allegation Investigations**

5.1 Investigations may conclude with the following outcomes:

Substantiated: sufficient evidence to prove allegation.

- Malicious: sufficient evidence to disprove and deliberate intent to deceive.
- False: sufficient evidence to disprove with no malicious intent.
- Unsubstantiated: insufficient evidence either way.
- Unfounded: no evidence or basis for allegation.

5.2 These outcomes ensure clarity and fairness for both staff and pupils.

## **6. Procedures for Managing Allegations**

6.1 In the event of an allegation that meets the criteria for harm, the following steps will be taken:

- The Headteacher (or chair of governors where the Headteacher is the subject of the allegation) will allocated a senior 'case manager' will take the following steps
- The Headteacher will contact the Local Authority Designated Officer (LADO) within 1 working day in order to discuss the case.
- The record will be kept to include information about the alternatives to suspension that have been considered, and why they were rejected.
- Consideration will be given to police or social care involvement.
- The staff member will be informed of the allegation, within one working day, and provided with written confirmation, The individual will be given a named contact at the school and their contact details who will keep them informed of the progress of the case and consider what other support is appropriate.
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to
- Parents/carers of the child involved will be informed promptly, unless this would place the child at risk. Parents will be informed of the requirement to maintain confidentiality about any allegations made while any investigations are ongoing. Where there is no criminal prosecution arising, the case manager will keep the parents/carers of the child/children involved informed of the progress of the case and the outcome, including the outcome of any disciplinary process.
- Consideration will be given to suspension or alternatives.
- Investigations will follow statutory timescales: Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within one calendar week 1 week. If the nature of an allegation does not require formal disciplinary action, appropriate action will take place within three working days. Where a disciplinary hearing is required and can be held without further investigation, this will take place within 15 working days .
- Where an allegation results in dismissal or resignation, the case will be referred to the Disclosure and Barring Service (DBS) and/or the Teaching Regulation Agency (TRA) as appropriate.
- 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.

- If an allegation is shown to be deliberately invented, or malicious, the Headteacher, or other appropriate person in the case of an allegation against the Headteacher, will consider whether any disciplinary action is appropriate against the student or whether the police should be asked to consider whether action against those who made the allegation might be appropriate.

## **7. Confidentiality and Information Sharing**

7.1 All allegations will be treated confidentially. Staff and pupils involved will be protected from unnecessary publicity. In line with Education Act 2002 s.141F, it is an offence to publish information that could identify a teacher subject to an allegation before they are charged.

## **8. Record-Keeping**

8.1 Accurate and comprehensive records will be kept of all allegations and in compliance with the Data Protection Act 2018 and UK GDPR requirements.. Records will include the nature of the allegation, actions taken, and outcomes.

8.2 Records must be stored securely and retained in line with statutory guidance:

- For substantiated allegations: until normal retirement age or 10 years, whichever is longer.
- For malicious allegations: removed from personnel files.
- For low-level concerns: these will be recorded in writing and retained until the staff member leaves employment.
- Reports about supply staff and contractors should be notified to their employer

## **9. References**

9.1 Confirmed false or malicious allegations, or low-level concerns, will not be included in employment references.

9.2 Substantiated safeguarding findings will be disclosed in line with statutory duties.

## **10. Learning Lessons**

10.1 Following a substantiated case, the school will review circumstances with the LADO to identify improvements. This includes reviewing suspension decisions, evaluating safeguarding culture, strengthening staff training, and assessing whether low-level concerns were addressed early enough.

10.2 Anonymised data on allegations will be shared with governors for oversight.

## **11. Policy Review**

This policy will be reviewed annually by the Headteacher and Governing Board, or sooner if statutory guidance changes. Oversight will include review of anonymised data to ensure procedures remain effective and compliant

## **12. Linked Policies**

- Safeguarding and Child Protection Policy
- GDPR and Privacy Policy

- Risk Assessment Policy
- Behaviour Policy
- Whistleblowing Policy