

Allegations Against Staff Policy

Aims, Scope and Principles

This policy sets out the procedures for managing allegations made against staff, volunteers, or students on placement that involve potential harm to children or indicate unsuitability to work with them.

The aim is to ensure that such allegations are handled promptly, fairly, and consistently, providing effective protection for children while also supporting the individual who is the subject of the allegation.

This policy is to be read in conjunction with:

- Safeguarding and Child Protection Policy
- Complaints Procedure
- Whistleblowing Policy
- Staff Code of Conduct

All allegations must be reported immediately to the Designated Safeguarding Lead (DSL), Vickie Wright. In her absence, contact Helen McNally (Deputy DSLs).

If the allegation concerns the Head of Centre or Director, staff must report the matter to the Local Authority Designated Officer (LADO).

Legal Framework

This policy is in line with the following:

- Children Act 1989 & 2004
- Education Act 2002
- Safeguarding Vulnerable Groups Act 2006
- Equality Act 2010
- Keeping Children Safe in Education (KCSIE) 2024
- Working Together to Safeguard Children (2023)
- Data Protection Act 2018 & UK GDPR

We also adhere to local procedures from the Local Safeguarding Children Partnership (LSCP).

When This Policy Applies

This policy applies when it is alleged that a person working with children has:

- Behaved in a way that has harmed, or may have harmed, a child
- Possibly committed a criminal offence against or related to a child
- Behaved in a way that indicates they may pose a risk of harm to children
- Behaved in a way—inside or outside the workplace—that may indicate unsuitability to work with children



This includes all staff, volunteers, students, contractors, and any other individuals working on site.

Procedure for Managing Allegations

Initial Action

All allegations must be referred without delay to the DSL and Director. If the DSL is the subject of the allegation, the Deputy DSLs must notify the LADO within one working day.

The DSL and Director will:

- Ensure the safety of children involved (e.g., immediate removal of staff from duties if appropriate)
- Record the allegation with date, time, and context
- Notify the LADO for consultation and advice on next steps

Police and/or Children's Social Care must be contacted if the threshold for harm or criminal investigation is met.

A case manager—usually the Director—will oversee the handling of the case.

Allegations Meeting the Harm Threshold

The harm threshold is met when the alleged behaviour:

- Has caused or may cause harm to a child
- May constitute a criminal offence
- Indicates the individual may be unsuitable to work with children

The LADO will coordinate the safeguarding response. The person may be suspended, depending on the risk posed.

Low-Level Concerns

A low-level concern is behaviour that does not meet the harm threshold but is inconsistent with professional expectations or code of conduct, such as:

- Over-familiar behaviour
- Favouritism
- Inappropriate 1:1 time
- Unprofessional language
- Shouting or humiliation



Staff must report low-level concerns to the DSL. These will be managed internally and recorded confidentially, with action taken where appropriate. Staff are encouraged to self-report if they believe their actions could be misinterpreted.

This process is essential to promoting a culture of openness and transparency.

Whistleblowing

Staff are encouraged to report serious concerns that are in the public interest. These may include:

- Safeguarding failures
- Breach of legal obligations
- Health and safety risks
- Attempts to conceal wrongdoing

Reports should be made to the DSL or Director. If the concern involves these individuals, the matter should be referred directly to the LADO, or reported via our Whistleblowing Policy.

Confidentiality and protection against victimisation are guaranteed under the Public Interest Disclosure Act 1998.

Support for Those Involved

- The individual subject to the allegation will be informed promptly (after LADO/police consultation).
- They will be supported throughout the process and updated on the progress of the case.
- Where appropriate, referrals will be made to external counselling or staff support services.
- The young person's referring school or agency will be informed of the allegation and its outcome.

Confidentiality

Strict confidentiality will be maintained throughout the process. Information will only be shared on a need-to-know basis and in line with Data Protection legislation.

Resignation or Compromise Agreements

- A resignation will not prevent an allegation from being fully investigated.
- “Compromise agreements” (whereby the person resigns and disciplinary action is halted) will not be used in cases involving safeguarding concerns.
- The obligation to refer to the Disclosure and Barring Service (DBS) and/or Teaching Regulation Agency (TRA) remains regardless of resignation.

Record Keeping

We will maintain a clear and comprehensive written record of:

- The allegation
- Actions taken
- Outcome
- Decision rationale

This will be kept in the individual’s confidential personnel file for a minimum of 10 years or until the individual reaches retirement age (whichever is later).

Records will be shared as appropriate in safeguarding-related reference requests or DBS checks.

Timescales

- Allegations will be resolved promptly, ideally within 1 month for straightforward cases.
- Complex cases involving social care or police may take longer, but regular updates will be provided.

Suspension

Suspension is a neutral act and will be considered only where:

- There is risk of harm to children
- The allegation is serious enough to warrant potential dismissal
- Required for the integrity of the investigation

The Director will decide on suspension in consultation with the LADO, police, or social care as appropriate.

Outcome and DBS Referral

Upon conclusion of the investigation, outcomes will be categorised as:

- Substantiated
- Unsubstantiated
- Unfounded
- Malicious
- False

If a staff member is dismissed, or would have been had they not resigned, due to risk of harm to children, a referral to the DBS and/or TRA will be made within 1 month of the decision.

Reintegration

If the staff member returns to work:

- Consideration will be given to phased return or adjustments
- Support will be provided
- Care will be taken regarding contact with the individual(s) involved in the allegation

False or Malicious Allegations

If an allegation is found to be deliberately false or malicious:

- Appropriate disciplinary action will be taken against the individual who made the allegation
- If the individual is a child, a referral may be made to Children's Social Care
- In extreme cases, the police may be involved

Links to Other Policies

This policy should be read alongside:

- Safeguarding and Child Protection Policy
- Whistleblowing Policy
- Staff Code of Conduct
- Complaints Policy
- Staff Disciplinary and Grievance Procedures
- Online Safety Policy
- Acceptable Use Policy

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