Part of the Branches Education Group

# ALLEGATIONS AGAINST STAFF POLICY

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| Approved By | R Warhurst | Head Teacher | Aug 2026 |
| Amendments Made | | | |
| Linked Policies | Complaints Procedure<br>Staff Code of Conduct<br>Disciplinary Procedure<br>Safeguarding policy | | |
| Signed | R Warhurst | Head Teacher | Aug 2026 |
| | L De-Hayes | Governance Chair | Aug 2026 |
| Date Next Review | Aug 2027 | | |

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## Introduction

Silver Birch School is committed to safeguarding and promoting the welfare of all pupils. We recognise that maintaining a safe and secure environment for children requires a culture of vigilance, transparency and accountability. Any concern, allegation or disclosure relating to the conduct of a member of staff, supply staff, contractor or volunteer must be taken seriously and managed promptly, fairly and effectively.

The School acknowledges that safeguarding concerns can range from low-level concerns regarding conduct through to allegations that may indicate a person has harmed, or poses a risk of harm to, a child. It is essential that all concerns are identified, reported, recorded and addressed appropriately to ensure the safety and wellbeing of pupils and to maintain public confidence in the School's safeguarding arrangements.

This policy sets out the procedures that Silver Birch School and Branches Education Group will follow when managing allegations and low-level concerns relating to members of staff, supply staff, contractors and volunteers. The policy reflects the requirements of the Department for Education statutory guidance **Keeping Children Safe in Education 2026**, including Part Four: *Safeguarding Concerns or Allegations Made About Staff, Including Supply Teachers, Volunteers and Contractors*. It should be read in conjunction with the School's Child Protection and Safeguarding Policy, Staff Code of Conduct, Whistleblowing Policy, Behaviour Policy and relevant employment procedures.

This policy applies to all adults working on behalf of the School, regardless of their role or employment status.

The policy is divided into two sections:

**Part One:** Managing allegations and concerns that may meet the harm threshold, including those requiring consultation with or referral to the Local Authority Designated Officer (LADO).

**Part Two:** Managing low-level concerns that do not meet the harm threshold but may be inconsistent with the staff code of conduct, professional standards or the expectations of safe and appropriate behaviour towards children.

Silver Birch  School is committed to ensuring that all concerns are managed sensitively, proportionately and in accordance with statutory guidance, whilst ensuring that the welfare of children remains paramount at all times

## Part One: Managing Allegations Made Against Members of Staff, Supply Staff, Contractors and Volunteers

This section of the policy applies to all allegations and safeguarding concerns raised in relation to members of staff, supply staff, contractors and volunteers and should be adapted, where appropriate, to reflect the circumstances of each individual case.

In accordance with Part Four of **Keeping Children Safe in Education 2026**, this procedure will be followed where it is alleged that a member of staff, supply staff member, contractor or volunteer has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against, or related to, a child;
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children; or
- behaved, or may have behaved, in a way that indicates they may not be suitable to work with children.

Behaviours that may indicate harm include concerns relating to inappropriate relationships between adults and children, including but not limited to:

- having a sexual relationship with a child under the age of 18 where a position of trust exists, even where the relationship is perceived to be consensual;
- meeting, communicating with or attempting to befriend a child for the purpose of sexual exploitation or abuse;
- grooming behaviour, including inappropriate communication via text messages, email, social media, online platforms, gifts or social contact outside professional boundaries;
- creating, possessing, accessing, sharing or distributing indecent images or pseudo-images of children; and
- any other conduct that may constitute abuse, neglect or exploitation of a child.

The fourth criterion above includes incidents and behaviours that may have occurred both within and outside school. Concerns relating to behaviour outside the workplace that may indicate a person poses a risk to children are commonly referred to as **transferable risk** concerns and will be considered when assessing an individual's suitability to work with children.

This policy should be read alongside the School's Child Protection and Safeguarding Policy, Staff Code of Conduct, Complaints Policy, Whistleblowing Policy and relevant disciplinary procedures.

**Reporting an Allegation**

The welfare and safety of children is paramount. All staff have a responsibility to report any allegation, safeguarding concern or information suggesting that an adult may pose a risk to children immediately.

Any allegation or concern about a member of staff, supply staff member, contractor or volunteer must be reported without delay to the Headteacher.

The Headteacher, or Director of Education where appropriate, will act as the Case Manager and will consult with the Local Authority Designated Officer (LADO) as required by statutory guidance.

Any allegation or concern involving the Headteacher must be reported immediately to the Governance Chair, who will assume responsibility for managing the case.

All allegations, concerns, actions, decisions and outcomes will be recorded securely using the school's CPOMS StaffSafe system. Access to records will be restricted to authorised personnel and managed in accordance with data protection legislation, safeguarding requirements and the school's record-retention procedures.

When an allegation is received, the welfare of any child involved will be the primary consideration. At the same time, the School will ensure that the member of staff who is the subject of the allegation is treated fairly, consistently and with appropriate support throughout the process.

In managing allegations, the School will:

- act promptly and proportionately;
- apply professional curiosity, common sense and sound judgement;
- establish the facts as quickly as possible;
- ensure children are protected from harm;
- support all individuals involved;
- maintain confidentiality wherever possible; and
- deal with allegations in a fair, consistent and timely manner.

Before contacting the LADO, the Headteacher (or Director of Education) may undertake limited initial enquiries to establish basic facts and determine whether there is sufficient information to indicate that the allegation meets the harm threshold. Such enquiries will not amount to a formal investigation and will not compromise any subsequent police, children's social care or disciplinary investigation.

Following receipt of an allegation, the Headteacher (or Director of Education) will discuss the matter with the LADO. The Designated Safeguarding Lead may also contribute to this discussion where appropriate.

The purpose of the initial discussion is to consider the nature, content and context of the allegation and agree the next steps. Outcomes may include:

- no further action under allegations procedures;
- additional information being required before a decision can be reached;
- management of the matter as a low-level concern;
- a formal strategy meeting or strategy discussion being convened;
- referral to Children's Social Care;
- referral to the Police; or
- another appropriate course of action.

The School will provide relevant information to the LADO and will cooperate fully with partner agencies. Where a strategy meeting or discussion is convened, the School will participate fully and share information as appropriate. Representatives from Children's Social Care, the Police, Health Services and other relevant agencies may also be involved.

**Investigating an Allegation**

The investigation of an allegation will normally be undertaken by a senior member of staff appointed by the School. Where there is no suitable member of staff available, or where the nature, seriousness or complexity of the allegation requires it, Silver Birch School may appoint an independent investigator from within Branches Education Group or another appropriate external professional.

In accordance with **Keeping Children Safe in Education 2026**, the following definitions will be used when determining the outcome of an allegation:

- **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 to 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 does not imply guilt or innocence.
- **Unfounded**: there is no evidence or proper basis to support the allegation being made.

The School will work closely with the Local Authority Designated Officer (LADO), Children's Social Care, the Police and any other relevant agencies throughout the investigation process as appropriate.

Under no circumstances will Silver Birch School cease to use the services of a supply teacher, contractor or agency worker solely because an allegation has been made. The School will establish the facts, seek advice from the LADO and work in partnership with the relevant employment agency

before reaching any decision regarding continued engagement. Whilst the School is not the employer of supply staff, it remains responsible for ensuring that safeguarding concerns are managed appropriately and in accordance with statutory guidance.

## Supporting Those Involved

### Parents and Carers

Parents or carers of any child involved will be informed of the allegation as soon as it is appropriate to do so.

Where Children's Social Care, the Police or a strategy discussion is involved, the School will seek agreement from those agencies before sharing information with parents or carers. The School will ensure that information is shared in a manner that does not compromise any investigation or place a child at further risk.

The School will keep parents or carers appropriately informed of the progress of the case and its outcome, subject to any restrictions imposed by external agencies, confidentiality requirements or legal considerations.

### The Member of Staff, Contractor, Supply Staff Member or Volunteer

The School recognises that being the subject of an allegation may be stressful and distressing. As part of its duty of care, the School will seek to minimise unnecessary anxiety and provide appropriate support throughout the process.

The individual concerned will be informed of the allegation as soon as possible following consultation with the LADO, unless there is an objection from the Police or Children's Social Care. In such circumstances, the School will agree with the relevant agencies what information can be shared and the appropriate timing for doing so.

The Headteacher, or Director of Education where appropriate, will appoint a named contact to:

- keep the individual informed about the progress of the case;
- provide updates on school-related matters where appropriate;
- act as a point of contact throughout the process; and
- ensure that appropriate welfare support is available.

The individual will be advised of their right to seek support from their trade union representative, professional association or workplace colleague.

Where the allegation concerns a member of supply staff, the School will work closely with the employment agency to ensure that appropriate support and communication arrangements are in place. The agency will be expected to provide welfare and employment-related support to the individual concerned whilst the investigation is ongoing.

**Suspension**

Suspension will not be an automatic response to an allegation. The School will carefully consider all available information, including advice from the Local Authority Designated Officer (LADO), before making any decision regarding suspension. Alternative arrangements will be considered wherever possible.

Suspension may be considered where:

- there is cause to suspect that a child, or children, may be at risk of harm;
- the allegation is sufficiently serious to warrant consideration of dismissal if substantiated; or
- it is necessary to ensure that the investigation can proceed without interference.

The decision to suspend an employee rests with Silver Birch  School. Where the Police or Children's Social Care are involved, their views will be taken into account before any decision is made.

The School does not have the authority to suspend a member of supply staff. Where concerns arise regarding a member of supply staff, the School will discuss the matter with the supplying agency and determine, in consultation with the LADO, whether it is appropriate for the individual to continue working at the School whilst enquiries continue.

Where an individual returns to work following a period of suspension, the School will consider appropriate support and reintegration arrangements. These may include a phased return, regular supervision meetings, mentoring arrangements or other measures considered necessary to support a successful return to work.

**Resignation, Ceasing to Provide Services or Settlement Agreements**

If an employee resigns, or a supply staff member, contractor or volunteer ceases to provide their services, the School will continue to investigate the allegation where possible and will reach a conclusion based on the available evidence.

The School will not enter into any settlement agreement that prevents an allegation from being investigated or prevents a referral being made to the Disclosure and Barring Service (DBS), Teaching Regulation Agency (TRA) or any other relevant body where required.

**Action Following the Conclusion of a Case**

Where an allegation is substantiated and:

- an employee is dismissed or resigns;

- the School ceases to use the services of a supply staff member because of the allegation;
- the School ceases to use the services of a contractor because of the allegation; or
- the School ceases to use the services of a volunteer because of the allegation,

the School will consider whether a referral should be made to the Disclosure and Barring Service (DBS), the Teaching Regulation Agency (TRA), any relevant professional body, and/or any other appropriate authority.

Where an allegation is found to be false, the School will consider whether the child concerned requires additional support or safeguarding intervention and, where appropriate, will refer concerns to Children's Social Care.

Where an allegation concerns a member of supply staff, the School will share the outcome with the relevant employment agency and the LADO.

## Learning Lessons Review

Following the conclusion of an allegation, the School may undertake a review of the circumstances of the case to determine whether there are any lessons to be learned or improvements that can be made to safeguarding practice, policies, procedures, training or supervision arrangements.

The purpose of any review will be to strengthen safeguarding arrangements and minimise the likelihood of similar concerns arising in the future.

### Timescales

Allegations will be managed as quickly as possible, consistent with a fair and thorough process.

The School will work with the LADO, Police, Children's Social Care and other relevant agencies to ensure that investigations are completed without unnecessary delay, while ensuring that all parties are treated fairly and that the welfare of children remains paramount.

### Record Keeping

A clear and comprehensive record of all allegations will be maintained.

Where an allegation is found to be malicious or false, details will be removed from the individual's personnel records. However, records relating to the investigation may be retained where necessary to demonstrate that appropriate procedures were followed.

For all other allegations, the School will retain:

- a summary of the allegation;
- details of how the allegation was investigated;
- decisions reached and actions taken;
- the outcome of the allegation; and
- whether the information will be included in future employment references.

A copy of the record will be provided to the individual concerned.

Records relating to allegations that are not false or malicious will be retained on the individual's personnel file until normal retirement age or for a period of ten years from the date of the allegation, whichever is longer.

Records relating to allegations made by pupils will be retained within the confidential section of the pupil's safeguarding record.

**Confidentiality and Information Sharing**

The School will make every effort to maintain confidentiality and protect all parties from unnecessary publicity whilst an allegation is being considered or investigated.

Information will only be shared with those who have a legitimate need to know in order to protect children, investigate concerns or fulfil statutory responsibilities.

The School will comply with statutory reporting restrictions and relevant data protection legislation. Individuals involved in the process will be reminded of the importance of maintaining confidentiality throughout.

**Non-Recent Allegations**

Any allegation of abuse made by an adult relating to events that occurred when they were a child will be taken seriously and managed in accordance with safeguarding procedures.

The individual will be supported to report the matter to the Police if they wish to do so, and the School will consider whether any safeguarding concerns remain in relation to children currently attending the School.

Non-recent allegations made by a child will be reported to the LADO and managed in accordance with local safeguarding partnership procedures and statutory guidance.

## Part Two: Managing Low-Level Concerns

This section of the policy sets out the procedures for managing low-level concerns relating to members of staff, supply staff, contractors and volunteers. It should be read alongside the School's:

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

Silver Birch  School is committed to creating and maintaining a culture of openness, trust and transparency in which all concerns about adults working in or on behalf of the School are identified, reported, recorded and managed appropriately.

The School recognises that effective safeguarding depends upon a culture in which concerns can be raised without fear of judgement and where all adults understand their responsibility to promote the welfare and safety of children.

**Purpose**

This policy aims to:

- promote a culture of openness, honesty and professional accountability;
- ensure that all adults understand the behaviours expected of them;
- encourage staff to identify, report and discuss concerns at an early stage;
- provide a clear and proportionate process for managing concerns about adults working within the School;
- enable patterns of concerning, problematic or inappropriate behaviour to be identified and addressed; and
- strengthen the School's safeguarding culture and protect children from harm.

**Recognising Low-Level Concerns**

In accordance with **Keeping Children Safe in Education 2026**, a low-level concern is any concern, no matter how small, and even if it causes no more than 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 conduct outside work; and
- does not meet the harm threshold for managing allegations or is otherwise not considered serious enough to require referral to the Local Authority Designated Officer (LADO).

Low-level concerns may relate to conduct within or outside the workplace and may involve a single incident or a pattern of behaviour.

Examples of low-level concerns may include, but are not limited to:

- being overly familiar or over-friendly with children;
- showing favouritism towards a particular child or group of children;
- taking photographs or videos of pupils on a personal mobile device;
- meeting or communicating with pupils outside approved professional channels;
- engaging with a child on a one-to-one basis in circumstances that are not transparent or consistent with school procedures;
- using inappropriate, unprofessional, offensive, intimidating or sexualised language;
- failing to maintain appropriate professional boundaries; or
- behaviour that would otherwise be inconsistent with the expectations set out in the Staff Code of Conduct.

The examples above are not exhaustive and may not, in isolation, constitute poor practice or misconduct. However, they may require discussion, clarification, support, guidance or further investigation.

**Sharing Low-Level Concerns**

Silver Birch  School believes that safeguarding concerns should be addressed at the earliest possible stage.

National safeguarding reviews have repeatedly demonstrated that incidents of abuse have sometimes been preceded by warning signs, behaviours or concerns that were observed but not reported, recorded or acted upon. Recording and reviewing low-level concerns enables patterns of behaviour to be identified and addressed before they escalate into more serious safeguarding issues.

All staff are therefore encouraged and expected to share any low-level concern regarding an adult working in or on behalf of the School.

Staff should report low-level concerns promptly, regardless of how minor the concern may appear.

Low-level concerns concerning a member of staff, supply staff member, contractor or volunteer should be reported to the Headteacher without delay.

Low-level concerns relating to the Headteacher should be reported to the Director of Education.

The process for reporting low-level concerns is intentionally aligned with the reporting arrangements for allegations set out in Part One of this policy. Staff are not expected to determine whether a concern meets the harm threshold or should be managed as a low-level concern. Any concern should be reported, and the Headteacher (or Director of Education where appropriate) will determine the appropriate process following consideration of the available information.

**Recording Low-Level Concerns**

All low-level concerns will be recorded securely using the School's CPOMS StaffSafe system.

Records will include:

- details of the concern;
- the context in which the concern arose;
- any discussions that took place;
- actions taken by the School; and
- the outcome of any review or investigation.

Records will be retained and reviewed in accordance with safeguarding, employment and data protection requirements. The School may review low-level concern records collectively to identify recurring themes, emerging patterns or wider safeguarding issues that require action.

**Responding to Low-Level Concerns**

The Headteacher will review all reported low-level concerns to determine whether the matter should be managed under this section of the policy or whether it meets the harm threshold and should be dealt with under Part One of this policy.

A concern initially reported as a low-level concern may be managed under Part One where:

- the concern meets one or more of the harm threshold criteria;
- additional information comes to light during enquiries;
- there is a pattern of similar concerns relating to the same individual; or
- there are wider concerns regarding professional conduct, safeguarding practice or staff culture.

Where appropriate, the Headteacher may seek advice from the Local Authority Designated Officer (LADO) to determine the most appropriate course of action.

The Headteacher will discuss the concern with the individual who raised it, where appropriate, and will make enquiries necessary to establish the facts and context of the concern.

Most low-level concerns are likely to be addressed through:

- professional discussion;
- advice, guidance or clarification of expectations;
- management support;
- supervision;
- additional training; or
- other informal management actions.

However, where the circumstances warrant it, the matter may be managed under the School's disciplinary procedures, staff code of conduct or other relevant policies.

Where a concern has been raised by a third party, the Headteacher will, where possible, obtain information directly from the individual who raised the concern, unless the concern has been submitted anonymously. The Headteacher may also speak with the individual concerned and any relevant witnesses in order to establish the facts.

Where a low-level concern relates to a member of supply staff, contractor or volunteer, the School will ensure that the relevant employment agency, contractor organisation or volunteer provider is informed, where appropriate, so that they can consider any necessary action in accordance with their own safeguarding responsibilities and procedures.

### Recording Low-Level Concerns

All low-level concerns will be recorded in writing using the School's CPOMS StaffSafe system and managed in accordance with safeguarding, employment and data protection requirements.

Records will include:

- details of the concern;
- the context in which the concern arose;
- any discussions held;
- enquiries undertaken;
- decisions reached; and
- actions taken and outcomes achieved.

Records will be stored securely and confidentially in accordance with the Data Protection Act 2018, UK General Data Protection Regulation (UK GDPR) and the School's records management procedures.

The School will regularly review low-level concern records to identify potential patterns of concerning, problematic or inappropriate behaviour. Where patterns emerge, the School will determine whether additional action is required, including whether the matter should be referred to the LADO and managed under Part One of this policy.

Low-level concern records will be retained in accordance with statutory guidance, employment requirements and the School's retention schedule. At a minimum, records will normally be retained for the duration of the individual's employment or engagement with the School.

### References

Low-level concerns that have not resulted in formal disciplinary action and do not meet the harm threshold will not normally be referred to in employment references.

However, where concerns have been investigated under formal procedures and found to be substantiated, or where there is a legal duty to disclose safeguarding information, the School will ensure that references are accurate, fair, factual and comply with statutory safeguarding guidance and safer recruitment requirements