



Allegation of abuse against a member of staff Policy (including low-level concerns)

Phase of school this policy relates to

Early Years	Primary	Secondary	Whole School
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Policy lead staff member:	Steve Cottrell
Link governor:	Sue Allingham

Liberty Woodland School recognises its statutory and moral duty to safeguard and promote the welfare of pupils and understands that staff play a vital role in meeting these responsibilities. Our school works hard to ensure that we promote an open and transparent culture in which all concerns about adults working in or on behalf of the school are dealt with promptly and appropriately.

Throughout this policy, the term 'staff' refers to:

- teachers
- support staff
- supply staff
- volunteers
- LA visiting staff
- contractors

Unfortunately, child abuse does take place in schools and childcare settings, so we have introduced this separate policy to remind staff of the measures that can be taken to reduce the risk of any allegations being made against them or another member of staff. It also contains the procedure, which will be undertaken if an allegation is made against a member of staff. This complies with both the Early Years Foundation Stage, KCSIE guidance and Merton Safeguarding Children Partnership.

How we can protect ourselves?

- If a child sustains an injury whilst in our care, we will record it on an accident/incident form via iSAMS as soon as possible. A member of staff will then contact the parents via phone or email to notify them of the accident and any first aid given.
- If a child arrives with an injury sustained elsewhere we will ask for an explanation and record this in the existing injury process on iSAMS. The DSL will have oversight of this process and ensure the observable injury is in line with the explanation given. Where necessary, further information may be sought, including the child's account of how the injury was sustained.
- We will ensure that all staff undertake Safeguarding Training Level 1 as part of their induction. The Designated Safeguarding Lead (DSL) and Deputy Designated Safeguarding Leads will undertake Safeguarding Level 3 Training. Safeguarding is discussed at team meetings throughout the year as well as in specific training update and CPD sessions.
- We will ensure that all parents understand our role and responsibility in child protection. We will also give details of our statutory obligations and our culture of vigilance for safeguarding.
- Our Behaviour policy states that no physical sanctions will be used, and we will ensure that everyone complies with it in all areas of the setting.
- We will try to avoid situations where an adult is left alone with a child (not direct line of sight/earshot of another adult). Where this has been unavoidable, the member of staff will let SLT know and we will then work to find ways to avoid this in the future.

- We will avoid engaging in rough physical play with children- as this may be misconstrued and could cause accidental injury to a child.
- We will avoid doing things of a personal nature for children that they can do for themselves.
- We have an in depth Safer Recruitment Policy which details all of our checks and referencing systems regarding new members of staff.
- We will encourage an open- door ethos, to enable staff to talk to senior managers if they have concerns about the conduct of any of their colleagues.
- If anyone makes an allegation of abuse against a member of our staff , the head (Leanna Barrett) will be informed immediately and will contact:
 - Merton Safeguarding Children Partnership: 0208 5454226/7
 - Email: LADO@merton.gov.uk
Phone: 0208 545 3187
 - Department of Education (within 14 days of the allegation being made): 0370 000 2288

They will assess whether the allegation reaches the threshold for referral to the Police or may decide to investigate themselves or ask the school to investigate it internally and advise accordingly regarding further action to be taken in respect of the child and the member of staff.

- The head will complete the attached form for recording allegations or complaints made against staff.
- The head will not discuss the allegation with the member of staff concerned, unless advised to do so by the LADO
- All staff need to be aware that it is a disciplinary offence not to report concerns about the conduct of a colleague that could place a child at risk. For further information please see our Whistle Blowing Policy

When in doubt – consult.

If an investigation is carried out, either externally or internally, it may be possible that we will be advised to suspend the member of staff, whilst an investigation is carried out. Liberty Woodland School could also invoke their disciplinary procedure.

We will not carry out an investigation ourselves unless Children's Social Services and the Police decide it is not appropriate for them to do so. We understand that the Department for Education may wish to undertake further investigations.

The welfare of the child is paramount.

Reporting Low-Level Concerns

A low-level concern is any concern – no matter how small, and even if no more than causing 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 inappropriate conduct outside of work. The term ‘low-level’ concern does not mean that it is insignificant. Early identification and prompt management of all concerns about the behaviour of adults who work or volunteer with children is critical to effective safeguarding. KCSIE requires low-level concerns to be shared. Everyone is required to share low-level concerns:

- Any concerns about staff go directly to Leanna, any concerns about Leanna go to the Chair of Governors
- To allow staff to self-refer to the school in situations where they may have found themselves compromised; this would allow staff to record this as a self-referral in the event that a complaint may come out later or a pattern start to build.
- To identify patterns of behaviour that are concerning;
- To ensure the School continues to have a culture of safeguarding in which all staff understand their responsibility to raise concerns.

Staff should therefore report any behaviour by another adult towards a pupil or another child that may have concerned them. They should also self-report in any situation where they feel their behaviour towards a pupil or another young person could be misinterpreted or misconstrued or leave them vulnerable.

A low-level concern should be reported when a member of staff is concerned about the behaviour of another adult towards a pupil or another child. This is not just where it is clear that a professional boundary has been broken, but anything which causes staff to have a ‘nagging doubt’ about the way in which other adults behave or interact with pupils. Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate. Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone, contrary to school 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
 - humiliating children

The term ‘low-level’ concern does not mean that it is insignificant. It means that the behaviour towards a child does not meet the harm threshold for an allegation. As defined in KCSIE 2025, it is:

“Any concern - no matter how small, and even if no more than causing 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 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 LADO”

NB: Training by Merton Borough Council referred to the challenge with ‘worrying’ that a concern may or may not be ‘low-level’ and in doing so hesitate or refrain from seeking further advice. The LADO recommended always reaching out for further advice where needed.

Behaviour defined as a ‘low-level’ concern can exist on a spectrum, from the inadvertent of thoughtless, or behaviour that may look to be inappropriate but is not in specific circumstances, through to that which is ultimately intended to enable abuse. LWS seek to continue to educate and reinforce with staff on avoiding circumstances which may put them in a difficult situation.

Reporting:

Low-level concerns about a member of staff should be reported to the Headteacher as per the school’s child protection procedures. If the concern is about the headteacher, this should be reported to the Chair of Governors.

The headteacher must then make an assessment to determine if the matter is a ‘low-level concern’ or an ‘allegation’ and follow one of the following routes:

- Allegations that meet the harm threshold will be referred to the LADO for advice.
- Low-level concerns that the school feel may need further guidance on will be referred to the LADO for advice.

Recording:

All low-level concerns should be formally recorded by the member of staff when they are made aware of them. These concerns should be discussed with the head. Where the head assesses this to be a low-level concern, the formal record will then be logged on a specified record document and should include:

- details of the concern
- the context in which they arose
- the name of the individual sharing their concerns. (If the member of staff wishes to remain anonymous, the head will then complete the log)
- following investigation, the outcome and any action taken should be added to the record.

A separate record will also be kept of low-level concerns to more easily identify patterns that may involve more than one member of staff. If the low-level concern also directly affects a child, the head may record this on isams too and consider sharing the event with parents if required/relevant.

Where a pattern of such behaviour is identified, the headteacher will decide on a course of action, which may include:

- disciplinary investigation and/or proceedings
- Management advice, including recommendations for training
- Referral to the LADO (where a pattern of behaviour moves from a concern to meeting the harm threshold)

The school will also review appropriate policies and training, or other wider cultural issues in the school, to see whether anything needs to be done to minimise the risk of similar behaviour happening again.

Low level concerns will not be included in a reference unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance.

Guidance for head completing Checklist for handling and recording allegations or complaints of abuse made against a member of staff regarding children in their care.

1. Record the name and position of member of staff against whom the allegation or complaint has been made.
2. Verbal complaints should be backed up in writing by the complainant if appropriate; some may require immediate action that does not allow time for this to happen. It is important to identify who made the complaint and whether it was received first hand or is a concern that is passed on from somebody else. If this is the case it is better that you receive the information first hand. If a parent, carer or a staff member at Liberty Woodland School makes a complaint against you it must be passed immediately to the head of school (Leanna Barrett).
3. Record the full name, age, date of birth and address of the child.
4. If there are one or more alleged incidents, be specific as possible about dates that they are alleged to have happened.
5. If you have received the complaint in writing attach it to the complaint form. You can then summarise it on the form. Any other information should be factual. It will be helpful if you can confirm things such as the level of contact that the staff member has with the child and any other minor concerns that may have been raised previously. Do not attempt to investigate the complaint yourself.
6. Remember that if an allegation of abuse is made against a member of our staff you must inform the Head of School (Leanna Barrett) If the allegation is about the head, then contact the Head of Governors. In any event, either of these people will contact Merton LADO.
7. The Department for Education will be informed if an allegation is made against a member of our staff and of actions taken, even if the LADO decides no further action is required. DfE may do their own investigation to ensure that registration requirements are being met. DfE must be contacted within 14 days of the alleged event.
8. 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 employer has a legal duty to make a referral to the DBS and TRA for consideration of whether inclusion on the barred lists is required.

9. Make a note of any actions the LADO or DfE advise you to take and the date or times at which you implemented them.
10. If the allegation is against the Head (Leanna Barrett) then you should speak to the Head of Governors who will follow the procedures above.
11. Where an allegation of abuse is made against any member of the LWS back office Team or a member of the Senior Management Team, any staff member or volunteer should report the allegation immediately to the head who will contact the LADO directly.

Disciplinary Action Against a Member of Staff

The 'alleged' person may be suspended on full pay, after careful consideration if this is deemed the best course of action until the allegation is resolved. This is not an indication of admission that the alleged incident has taken place, but is to protect the staff as well as children and families throughout the process;

Where an allegation is proved to be without foundation, the investigator will decide whether disciplinary actions are required. Child protection enquiries take priority over disciplinary investigations and the disciplinary process must be clearly separated from the child protection enquiries.

Where a member of staff or a volunteer is dismissed from the school or internally disciplined because of misconduct from the school or internally disciplined because of the misconduct relating to the child, the school would make a referral to the Disclosure and Barring Service (DBS) if a person has been dismissed or removed due to safeguarding concerns, or would have been had they not resigned. The Disclosure and Barring Service (DBS) would be contacted to provide information about individuals working with children or vulnerable adults where we consider them to have caused harm or pose a risk of harm. In addition, the Teacher Regulation Agency (TRA) must also be reported to.

Where a member of staff or a volunteer is dismissed from the school or internally disciplined because of misconduct from the school or internally disciplined because of the misconduct relating to the child, this should be referred to the headteacher and DBS; where there are concerns/allegations about the headteacher or principal, this would be referred to the chair of governors, and in the event of concerns/allegations about the headteacher, where the headteacher is also the sole proprietor of an independent school, allegations would be reported directly to the Local Authority Designated Officer (LADO).

APPENDIX A:

This is statutory guidance from the Department for Education. This means recipients must have regard to it when carrying out duties relating to handling allegations of abuse against teachers and other staff.

See also: LWS Whistle Blowing Policy.

What legislation does this guidance relate to?

The Children Act 1989

Section 175 of the Education Act 2002 (local authorities, governing bodies of maintained schools and institutions in the further education sector)

Section 157 of the Education Act 2002 and the Education Independent School Standards Regulations 2018

The Children Act 2004

Section 11 of the Children Act 2004 (other agencies).

Keeping Children Safe in Education 2025

Who is this guideline for?

This guidance aimed at: Schools, local authorities, governing bodies in maintained and independent schools, Academies, short stay schools and the FE sector.

This part of the guidance is about managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) in a school that provides education for children 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; or
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.

Key points

If an allegation is made against a teacher the quick resolution of that allegation should be a clear priority to the benefit of all concerned. At any stage of consideration or investigation, all unnecessary delays should be eradicated.

In response to an allegation, staff suspension should not be the default option. An individual should only be suspended if there is no reasonable alternative. If suspension is deemed appropriate, the reasons and justification should be recorded by the school and the individual notified of the reasons. Allegations that are found to have been malicious should be removed from personnel records and any that are not substantiated, are unfounded or malicious should not be referred to in employer references. Pupils that are found to have made malicious allegations are likely to have breached school behaviour policies. The school should therefore consider whether to apply an appropriate sanction, which could include temporary or permanent exclusion (as well as referral to the police if there are grounds for believing a criminal offence may have been committed).

All schools should have procedures for dealing with allegations. The procedures should make it clear that all allegations should be reported straight away, normally to the Head if it is an independent school. The procedures should also identify the person, often the chair of governors, to whom reports should be made in the absence of the Head, or in cases where the Head themselves are the subject of the allegation or concern. Procedures should also include contact details for the local authority designated officer (LADO) responsible for providing advice and monitoring cases.

Duties as an employer and employee

Employers have a duty of care to their employees. They should ensure they provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended.

It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in a school is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

Initial considerations

The procedures for dealing with allegations need to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above at all, or may do so without warranting consideration of a police investigation or enquiries by local authority

children's services. In these cases local arrangements should be followed to resolve cases quickly and without delay.

Some rare allegations will be so serious as to require immediate intervention by the local authority's social care and/or police. The local authority designated officer (LADO) should be informed of all allegations that come to our school's attention and appear to meet the criteria so that he or she can consult police and local authority children's social care colleagues as appropriate.

In the first instance, the Head of school/ proprietor, or chair of governors, would immediately discuss the allegation with the LADO. The purpose of an initial discussion is for the LADO, and the Head, to consider the nature, content and context of the allegation and agree a course of action. The LADO may ask the Head to provide or obtain any additional information which may be relevant such as previous history, whether the child or their family have made similar allegations and the individual's current contact with children.

This initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern, in which case this decision and a justification for it should be recorded, by both the manager and the LADO, and agreement reached as to what information should be put in writing to the individual concerned and by whom. The Head should then consider with the LADO what action should follow in respect of the individual and those who made the initial allegation.

The Head would inform the accused person about the allegation as soon as possible after consulting the LADO. She should provide them with as much information as possible at the time. However, where a strategy discussion is needed, or police or local authority's social care need to be involved, the Head should not do that until those agencies have been consulted, and have agreed what information can be disclosed to the person. Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the school until the allegation or concern is resolved.

If the allegation is not demonstrably false or unfounded, and there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion should be convened in accordance with paragraph 5. 56 of *Working Together to Safeguard Children*. If the allegation is about physical contact, the strategy discussion or initial evaluation with the police should take account of the fact that teachers and other school staff are entitled to use reasonable force to control or restrain pupils in certain circumstances, including dealing with disruptive behaviour.

Where it is clear that an investigation by the police or local authority children's social care is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the LADO should discuss the next steps with the Head, or chair of governors. In those circumstances the options open to the school depend on the nature and circumstances of the allegation and the evidence and information available, and will range from taking no further action to summary

dismissal or a decision not to use the person's services in future. Suspension should not be the default position – an individual should only be suspended if there is no reasonable alternative.

In some such cases further enquiries will be needed to enable a decision about how to proceed. If so, the LADO should discuss with Head, and chair of governors, how the investigation will be undertaken. In straightforward cases that should normally be undertaken by a senior member of the school. However, in other circumstances lack of appropriate resource within the school, or the nature or complexity of the allegation will require an independent investigator.

Supporting those involved

Employers have a duty of care to their employees. They should act to manage and minimise the stress inherent in the allegations and disciplinary process. Support for the individual is key to fulfilling this duty. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the local authority social care or the police. Liberty Woodland School would appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work related issues. Social contact with colleagues and friends must not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

Parents or carers of a child or children involved should be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or police or local authority children's social care need to be involved, the head should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents. They should also be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process.

The deliberations of a disciplinary hearing, and the information taken into account in reaching decision, cannot normally be disclosed but the parents and the carers should be informed of the outcome.

In cases where a child may have suffered significant harm, or there may be a criminal prosecution, local authority social care, or the police as appropriate, should consider what support the child or children involved may need.

Confidentiality

It is extremely important that when an allegation is made, Liberty Woodland School will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation

is being investigated or considered. In accordance with the Association of Chief Police Officers (ACPO) guidance the police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless and until the person is charged with a criminal offence. (In exceptional cases where the police might depart from that rule, e.g. an appeal to trace a suspect, the reasons should be documented and partner agencies consulted beforehand.)

Liberty Woodland School would take advice from the LADO, police and social care to agree the following:

- Who needs to know and, importantly, exactly what information can be shared;
How to manage speculation, leaks and gossip;
- What if any information can be reasonably given to the wider community to reduce speculation; and in deciding what information to disclose, careful consideration should be given to the provisions of the Data Protection Act 1998, the law of confidence and, where relevant, the Human Rights Act 1998.
- How to manage press interest if and when it should arise.

Resignations and 'settlement agreements'

The fact that a person tenders his or her resignation, or ceases to provide their services, must not prevent an allegation being followed up in accordance with these procedures. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process. Wherever possible the person should be given a full opportunity to answer the allegation and make representations about it, but the process of recording the allegation and any supporting evidence, and reaching a judgement about whether it can be regarded as substantiated on the basis of all the information available should continue even if that cannot be done or the person does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

By the same token so called 'compromise agreements', by which a person agrees to resign, if Liberty Woodland School agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, must not be used in these cases. In any event, such an agreement will not prevent a thorough police investigation where that is appropriate. Nor can it override the statutory duty to make a referral to the Independent Safeguarding Authority (ISA) where circumstances require that.

Record keeping

Details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive

summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on a person's confidential personnel file, and a copy 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 Disclosures 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 person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer. The Information Commissioner has published guidance on employment records in its Employment Practices Code and supplementary guidance, which provides some practical advice on employment retention.

It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation.

References

Cases in which an allegation was proven to be unsubstantiated, unfounded or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be unsubstantiated, malicious etc. should also not be included in any reference.

Timescales

Target timescales are shown below for different actions in the summary description of the process. The time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation, but these targets should be achieved in all but truly exceptional cases. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.

For those cases where it is clear immediately that the allegation is unfounded or malicious then it is expected that they should be resolved within one week. Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the employer to deal with it, although if there are concerns about child protection, the employer should discuss with the LADO. In such cases, if the nature of the allegation does not require formal disciplinary action, the Lead teacher or principal should institute appropriate action within 3 working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

Oversight and monitoring

The LADO has overall responsibility for oversight of the procedures for dealing with allegations; for resolving any inter-agency issues, and for liaison with the Local Safeguarding Children partnership on the subject. The designated local authority officer(s) will provide advice and guidance to Liberty Woodland School, in addition to liaising with the police and other agencies, and monitoring the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process. Reviews should be conducted at fortnightly or monthly intervals depending on the complexity of the case.

Police forces should also identify officers who will be responsible for: liaising with the designated local authority officer(s), taking part in the strategy discussion, or initial evaluation, subsequently reviewing the progress of those cases in which there is a police investigation, and sharing information on completion of the investigation or any prosecution.

If the strategy discussion or initial assessment decides that a police investigation is required, the police should also set a target date for reviewing the progress of the investigation and consulting the Crown Prosecution Service (CPS) about whether to: charge the individual; continue to investigate; or close the investigation. Wherever possible that a review should take place no later than 4 weeks after the initial evaluation. Dates for subsequent reviews, ideally at fortnightly intervals, should be set at the meeting if the investigation continues.

Suspension

The possible risk of harm to children posed by an accused person needs to be effectively evaluated and managed in respect of the child(ren) involved in the allegations. In some cases that will require Liberty Woodland School to consider suspending the person until the case is resolved. Suspension must not be an automatic response when an allegation is reported. If the Head or senior person is concerned about the welfare of other children in the community or the teacher's family, those concerns should be reported to the LADO or police but suspension is highly unlikely to be justified on the basis of such concerns alone.

Suspension should only be considered in a case where there is cause to suspect a child or other children at Liberty Woodland School is or are at risk of significant harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically, or without careful thought being given to the particular circumstances of the case. Schools must consider carefully whether the circumstances of the case warrant a person being suspended from contact with children at the school until the allegation is resolved, and may wish to seek advice from their personnel adviser.

Schools should also consider whether the result that would be achieved by suspension could be obtained by alternative arrangements. For example, redeployment so that the individual does not have direct contact with the child concerned, or providing an assistant to be present when the individual has contact with children. This allows time for an informed decision regarding the suspension and possibly reducing the initial impact of the allegation. This will however, depend

upon the nature of the allegation. Schools should consider the potential permanent professional reputational damage to teachers that can result from suspension where an allegation is later found to be unsubstantiated, unfounded or maliciously intended.

Where it has been deemed appropriate to suspend the person, written confirmation should be dispatched within one working day, giving the reasons for the suspension. The person should be informed at that point who their named contact is within the organisation and provided with their contact details.

Local authority children's social care or the police cannot require a school to suspend a member of staff or a volunteer, although schools should give appropriate weight to their advice. The power to suspend is vested in the proprietor of the school, or the governing body of the school who are the employers of staff at the school. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by the local authority social care and/or an investigation by the police, the LADO should canvass police and the local authority children's social care for views about whether the accused member of staff needs to be suspended from contact with children to inform the school consideration of suspension.

Information sharing

In a strategy discussion or the initial evaluation of the case, the agencies involved should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim.

Wherever possible the police should obtain consent from the individuals concerned to share the statements and evidence they obtain with the school for disciplinary purposes. This should be done as their investigation proceeds and will enable the police to share relevant information without delay at the conclusion of their investigation or any court case.

The local authority's social care should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the school without delay.

Action following a criminal investigation or a prosecution

The police or the Crown Prosecution Service (CPS) should inform the school and LADO straight away when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to prosecute after the person has been charged. In those circumstances the LADO should discuss with the Lead teacher, principal and chair of governors or proprietor whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or the local authority social care should inform that decision. The options will depend on the circumstances of the

case and the consideration will need to take account of the result of the police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

Action on conclusion of a case

If the allegation is substantiated and the person is dismissed or the school ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, the LADO should discuss with the school and its personnel adviser whether a referral to the Independent Safeguarding Authority (ISA) for consideration of inclusion on the barred lists or by the General Teaching Council (GTC) is required. There is a legal requirement for employers to make a referral to the ISA where they think that an individual has engaged in conduct (including inappropriate sexual conduct) that harmed (or is likely to harm) a child or if a person otherwise poses a risk of harm to a child. In such circumstances, the duty to refer an individual to the ISA arises where an employer has removed the individual from relevant work with children or the person has chosen to cease relevant work in circumstances where they would have been removed had they not done so. Professional misconduct cases should be referred to the relevant regulatory body. The ISA will consider whether to bar the person from working in regulated activity, which will include work in schools and other educational establishments. Local authorities, schools, and other bodies all have a statutory duty to make reports, and to provide relevant information to the ISA. Referrals should be made as soon as possible after the resignation or removal of the member of staff involved and within one month of ceasing to use the person's services.

In cases where it is decided on the conclusion of the case that a person who has been suspended can return to work, the school should consider how best to facilitate that. Most people will benefit from some help and support to return to work after a very stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The school should also consider how the person's contact with the child or children who made the allegation can best be managed if they are still a pupil at the school.

Learning lessons

At the conclusion of a case in which an allegation is substantiated the LADO should review the circumstances of the case with the Head Teacher, or the chair of governors, chair of the management committee or proprietor to determine whether there are any improvements to be made to the school's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified.

Action in respect of unfounded or malicious allegations

If an allegation is determined to be unfounded or malicious, the LADO should refer the matter to

local authority children's social care to determine whether the child concerned is in need of services, or may have been abused by someone else. In the event that an allegation is shown to have been deliberately invented or malicious, the Lead teacher, principal or proprietor should consider whether any disciplinary action is appropriate against the pupil who made it, or the police should be asked to consider whether any action might be appropriate against the person responsible, including if he or she was not a pupil. In September 2010 the Crown Prosecution Service. published guidance for the police on harassment under the Protection from Harassment Act 1997.

How we safeguard children

Managing allegations made against staff, trustees or volunteers.

Liberty Woodland School will ensure that any allegations made against members or a member of staff will be dealt with quickly and in accordance with the following procedures. All allegations of abuse made against the Head, other staff or trustees should be reported directly to the LADO.

In the case of an allegation involving the Designated Safeguarding Lead, alternative arrangements should be sought to ensure that the matter is dealt with by an independent person.

The Designated Safeguarding Lead should contact Social Services for advice on how to proceed with the immediate situation. Outside of working hours the Emergency Duty Team can give advice and/or in the event of an emergency situation arising, the police should be contacted for discussion.

The individual who first received/witnessed the concern should make a full written record of what was seen, heard and/or told as soon as possible after observing the incident/receiving the report. It is important that the report is an accurate description. The Designated Safeguarding Lead (if appropriate) can support the worker during this process but must not complete the report for the worker. This report must be made available on request from either the police and/or social services.

Regardless of whether a police and/or social services investigation follows, the school will ensure that an internal investigation takes place and consideration is given to the operation of disciplinary procedures. This may involve an immediate suspension and/or ultimate dismissal depending on the nature of the incident.

Where a member of staff/volunteer is thought to have committed a criminal offence the police will be informed. If a crime has been witnessed the police should be contacted immediately. The safety of the individual(s) concerned is paramount and it should be ensured that they are safe and away from the person(s) who are the alleged perpetrators.

DBS

Liberty Woodland School is committed to safer recruitment policies and practices for paid staff, volunteers and trustees. This includes enhanced DBS checks for all staff and volunteers, ensuring references are taken up and adequate training on Safeguarding is provided for staff and volunteers.

All new recruits will be required to provide two references and will be subject to enhanced DBS checks in accordance with our recruitment and selection policy.

Liberty Woodland School fully understands that it has a duty to refer details of a member of staff to the DBS who has been disciplined, is dismissed, is currently under investigation or has left the schools employment prior to the end of an investigation for causing emotional, psychological, physical or sexual harm, neglect or risk of harm to children. All referrals will be made to the DBS immediately, without delay.

In relation to the DBS, again, Liberty Woodland School closely follows all national guidance including guidance from DfE and adopts this guidance to the full.

Liberty Woodland School understands that:

A person who is barred from working with children or vulnerable adults will be breaking the law if they work or volunteer, or try to work or volunteer with those groups.

Any organisation which knowingly employs someone who is barred to work with those groups will also be breaking the law.

If a member of staff or a volunteer leaves because they have harmed a child or young person, or you would have done so if they had not left, you must tell the DBS.

APPENDIX B

Record of allegation or complaint of abuse made against a member of staff regarding children in care at LWS:

1. Name and position of staff who is the subject of allegations/complaint:

2. Is the complaint: Written or verbal (delete as necessary).

3. Complaint made by:_____ Relationship to child_____

4. Name of child_____ Age and date of birth _____

5. Parent's/carers name(s) and address

6. Date of alleged incident/s _____

7. Did the child attend on this/these date/s: _____

8. Nature of complaint (if received in writing see guidance)

9. Other relevant information (continue on a separate sheet if needed):

10 LADO contacted at (date and time)_____

11. DfE contacted at (date and time) _____

12. Further actions advised by LADO and DfE _____

Your name and position _____

Signature _____ Today's date and time:_____