

Allegations Policy

Safeguarding concerns and allegations made about staff, supply staff, contractors and volunteers

This policy is effective in all Academies within the Learning without Limits Academy Trust

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1. Introduction

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- 3.7. The Academy will share relevant information with the LADO about the allegation, the child, and the person against whom the allegation has been made. If it is decided that a strategy discussion should take place, then the Academy will always attend that meeting. Representatives from other agencies such as health, social care and police may also be invited to the meeting.

4. Investing an allegation

- 4.1. An investigation into the allegation should normally be undertaken by a senior member of staff at an Academy or at the Trust. Where no suitable staff are available or the nature or complexity of the allegation requires it, the Academy or Trust may appoint an independent investigator.
- 4.2. When determining the outcome of an investigation Part 4 of Keeping Children Safe in Education 2022 states that the following definitions should be used when determining the outcome of the investigation:
- 4.2.1. **Substantiated:** there is sufficient evidence to prove the allegation.
 - 4.2.2. **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.
 - 4.2.3. **False:** there is sufficient evidence to disprove the allegation.
 - 4.2.4. **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
 - 4.2.5. **Unfounded:** to reflect cases where there is no evidence or baseless which when

9. Post incident review

- 9.1. It is good safeguarding practice for Academies to review incidents upon their conclusion so they can learn from them and continue to improve standards of safeguarding. Where allegations are made against staff, supply staff, contractors or volunteers, the Academy/Trust may carry out a review at the conclusion of the case.

10. Timescales

- 10.1. Investigations into allegations against staff, including agency staff or volunteers or volunteers will be concluded as quickly and efficiently as possible to ensure that any risks to the child or other children and stress to the individual is minimised as far as possible.

11. Record keeping

- 11.1. Allegations found to be false or malicious will be removed from the employment record of the individual. For all other allegations, a clear and comprehensive summary of the allegation, how it was followed up and resolved, a note of actions taken and decisions reached and a declaration on whether the information will be referred to in any future reference will be retained on the employment file. A copy will also be provided to the individual.
- 11.2. The record will be kept, including for people who leave the Academy/Trust, at least until the person reaches normal pension age or for 10 years if that will be longer, from the date of the allegation.
- 11.3. Details of any allegation made by a pupil will be kept in the confidential section of their record.

12. Confidentiality

- 12.1. The Academy/Trust will make every effort to maintain confidentiality and guard against unwanted publicity whilst an allegation is being investigated.
- 12.2. The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher in a school who has been accused by, or on behalf of, a pupil from the same school. This applies to parents and carers as well as the press.

13. Non recent allegations

- 13.1. Where an adult makes an allegation to the Academy (a20-01sh)5.3 uhrdh a20.7 (r)6.7 (a20.7 ())J-0.00

14. Part Two: Managing low level concerns

14.1. This part of the policy will be followed when dealing with low level concerns raised in relation to members of staff, including supply staff, contractors or volunteers and may be adapted to each case as required. It will be used alongside the Trust's Complaints Procedure, Child Protection and Safeguarding Policy, Staff Behaviour Policy (Code of Conduct), Staff Expectations Policy and Disciplinary Procedure.

14.2. The Trust ruse-0.8 (a)-3.3 (n)-0.7 (d)i(c)-5 (t)-3.3 (s)(,)1 ()JJ-0.001 Tc 0.00Aynca2.2 (arm)4.5 (e)

- 16.5. The procedure for reporting low level concerns is consistent with that for reporting allegations of abuse as set out in part one of this policy. Staff do not need to determine whether their concern meets the threshold set out in part one of this policy or is a low level concern. The Principal or Chair of Governors/Chair of Trustees (as appropriate) will make this determination once the staff member has reported the issue.

17. Responding to low-level concerns

- 17.1. The Principal or Chair of Governors/Chair of Trustees (as appropriate) will review the concern to confirm that it is not a more serious issue that should be dealt with under part one of this policy. An issue reported as a low level concern would be dealt under part one of this policy where it meets the threshold set out in part one or there is a pattern of low level concerns expressed about the individual or wider staff practices generally. If necessary, the Principal or Chair of Governors/Chair of Trustees will discuss the concern with the LADO to determine whether it should be dealt with under part one of this policy.
- 17.2. The Principal or Chair of Governors/Chair of Trustees will discuss the concern with the individual who raised it and will investigate it as appropriate.
- 17.3. Most low-level concerns are likely to be minor and can be dealt with by means of management support or additional training. Where necessary, action may be taken in accordance with the Trust Staff Behaviour Policy (Code of Conduct) and Disciplinary Procedure.
- 17.4. If the concern has been raised via a third party, the Principal or Chair of Governors/Chair of Trustees will collect evidence by speaking directly to the person who raised the concern (unless it has been raised anonymously), the individual involved and any witnesses.
- 17.5. Where a low level concern is raised about a member of supply staff or a contractor, the concern will be shared with supply agency so they can take appropriate steps in accordance with their own policies and statutory guidance.

18. Recording low-level concerns

- 18.1. All low-level concerns will be recorded in writing on CPOMS and will include details of the concern, the context and action taken. The records will be kept confidential and held securely in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation.
- 18.2. Records of low-level concerns will be reviewed so potential patterns of concerning, problematic or inappropriate behaviour can be identified. If patterns are identified, the Trust/Academy will decide on an appropriate course of action and will refer the matter to the LADO where the behaviour moves from a concern to meeting the threshold set out in the first part of this policy.
- 18.3. The record of the low-level concern will be kept at least until the person leaves the Trust/Academy.

