Allegations Against Staff Policy

Embrace Multi Academy Trust strives to maintain and improve good provision and outcomes at each of its member schools. Based upon our shared ethos and our values of wisdom, collaboration, respect, integrity, inclusivity and compassion, we aim to support the learning and development of every person within the Trust, and our policies are written from this perspective.

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Contents

1. Purpose and scope 3
2. Roles and reporting routes 3
3. Initial response and harm-threshold decision 4
4. Allegations that may meet the harm threshold 5
5. Suspension and alternatives 5
6. Supply teachers, trainee teachers, contractors and volunteers 6
7. Supporting those involved 6
8. Outcomes and next steps 6
9. Confidentiality and communications 7
10. Record-keeping, retention and references 7
11. Learning lessons 8
12. Concerns that do not meet the harm threshold (low-level concerns) 8
13. Related legislation, statutory guidance and Trust documents 8
14. Appendices: 9

Appendix 1: ALLEGATIONS AGAINST STAFF: DECISION FLOWCHART 10

Appendix 2: REPORTING ROUTES, OUTCOMES AND NON-NEGOTIABLES 11

1. Purpose and scope

1.1 This policy sets out how the Trust, and its schools will respond to safeguarding concerns or allegations about any person working in or on behalf of a school or the Trust, whether paid or unpaid. It should be read alongside the current Keeping Children Safe in Education (KCSIE), the Trust Safeguarding and Child Protection Policy, Low-Level Concerns Policy, Staff Code of Conduct, Whistleblowing Policy and Disciplinary Policy.

1.2 The welfare and safety of the child is the paramount consideration. The Trust will act promptly, fairly and consistently, protect children, support the person who is the subject of the concern, and cooperate with the Local Authority Designated Officer (LADO), police and children's social care as appropriate.

1.3 Section one applies where it is alleged that a person working in or on behalf of the school or trust, including a supply teacher, trainee teacher, volunteer, governor, trustee or contractor, 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.

1.4 The fourth test may arise from behaviour outside school and is sometimes described as transferable risk. The investigating officer must consider the circumstances and seek LADO advice where the threshold may be met.

1.5 Historical allegations and allegations about people who no longer work for the trust must not be dismissed because of the passage of time or because employment has ended. They will be referred to the police and/or LADO as appropriate, with advice sought on the next steps.

2. Roles and reporting routes

2.1 All staff must report any safeguarding concern or allegation about an adult working in or on behalf of the school immediately. They must not investigate, question witnesses, promise confidentiality or delay reporting in order to obtain further information.

2.2 The person managing the case is the "investigating officer". Normally this will be the headteacher/principal. Where the allegation concerns that person, the trust leader will appoint the investigating officer. Where the concern relates to the trust leader or a trustee, the chair of trustees or another unconflicted trustee will act, supported by trust HR and safeguarding advice (internal or external).

2.3 The concern must be recorded promptly on CPOMS StaffSafe in accordance with the trust's procedures. Serious allegations must also be reported verbally without delay. Records must be factual, contemporaneous and restricted to those who need access.

2.4 The investigating officer must consider conflicts of interest and make alternative arrangements where anyone involved in managing or investigating the case is implicated, closely connected to an involved person, or otherwise unable to act impartially.

Concern relates to	Report immediately to (Teams / Email or Verbal)	CPOMS Recording
A member of staff, supply teacher, trainee teacher, volunteer or contractor	The headteacher / principal	Notify the headteacher/ principal
The headteacher/principal	The trust leader	Notify trust safeguarding lead (primary schools) or trust HR manager (secondary schools)
The trust leader	The chair of trustees *(notify trust HR manager in first instance)*	Notify trust HR manager
A trustee or the chair of trustees	The trust's nominated safeguarding trustee or another independent trustee, with LADO advice	Notify trust safeguarding lead (primary schools) or trust HR manager (secondary schools))
A governor or the chair of governors	The headteacher / principal	Notify the headteacher/ principal
A concern that cannot be raised internally, or where the response is believed to be unsafe	Use the trust Whistleblowing Policy and/or contact the NSPCC Whistleblowing Advice Line	N/A

3. Initial response and harm-threshold decision

1. Ensure any immediate risk to a child is addressed.
2. The investigating officer must consult trust HR and the trust safeguarding lead.
3. Contact the LADO without undue delay where the allegation may meet the harm threshold.
4. Preserve evidence and make a factual record of what was reported, by whom, when and in what circumstances. Do not conduct any internal investigation before taking guidance as appropriate.
5. Agree with the LADO whether the matter meets the harm threshold, what information may be shared, who will lead each action, and whether police or children's social care involvement is required.
6. Where the concern does not meet the harm threshold, manage it under section 12 and the Trust Low-Level Concerns Policy. If in doubt, seek LADO advice.

3.1 Following advice, where an emergency situation is identified, or where an immediate crime or risk requires it, contact the police and/or children's social care first, and notify the LADO as soon as practicable afterwards.

4. Allegations that may meet the harm threshold

4.1 The investigating officer will agree an action plan with the LADO and other agencies as appropriate. The plan should identify the safeguarding actions, fact-finding or investigation required, roles and responsibilities, communication arrangements, review points and expected timescales.

4.2 The individual should be informed of the allegation and possible courses of action as soon as practicable after consultation with the LADO. Where police or children's social care is involved, only information agreed with those agencies may be shared. The allegation must not be presented as proven.

4.3 If no further action is required, the investigating officer will record the decision and reasons and agree with the LADO what will be confirmed in writing to the individual and what, if any, follow-up action is needed for the child, reporting person or wider organisation.

4.4 Resignation, cessation of services, sickness absence or refusal to cooperate will not prevent the safeguarding process from continuing so far as reasonably possible. The trust will reach and record an outcome on the available evidence and make any required referrals.

5. Suspension and alternatives

5.1 Suspension is a neutral act and will not be automatic and would be subject to a risk assessment. It will be considered only where there is cause to suspect that a child or other children are at risk of harm, or the allegation is so serious that it may be grounds for dismissal, and there is no reasonable alternative.

5.2 Before suspension, the investigating officer will consult trust HR, comply with the Scheme of Delegation, assess risk, and record the alternatives considered and why they are unsuitable. The decision remains the employer's decision:

- redeployment so the individual has no direct contact with the child or children concerned;
- supervision whenever the individual has contact with children;
- temporary alternative duties without unsupervised access to children;
- adjusting arrangements for the child, where appropriate and not punitive, having considered the child's wishes and parent/carer consultation;
- temporary deployment to another trust location or role;
- working from home or restricted access to systems or premises where proportionate.

5.3 Suspension must be authorised in accordance with the Scheme of Delegation, confirmed in writing with reasons and conditions, and reviewed regularly. A named

welfare contact will keep the individual informed. Suspension will last no longer than is necessary and proportionate.

6. Supply teachers, trainee teachers, contractors and volunteers

6.1 Where the trust does not directly employ the individual, the school/trust and the agency, training provider, business or employing organisation share safeguarding responsibilities. The school/trust remains responsible for gathering the facts and managing the safeguarding process, working closely with the external employer, which will usually lead any disciplinary action.

6.2 The school/trust will not stop using a person's services merely to avoid managing the allegation. It will liaise with the LADO and external employer, support access to relevant information, and ensure the individual is given an opportunity to respond as part of the appropriate process.

6.3 Any allegation relating to an organisation or individual using school premises to run activities for children must be managed under this policy, including early LADO consultation and liaison with the person's employer or commissioning body.

7. Supporting those involved

7.1 Support for the child: the DSL will ensure the child's immediate safety and welfare needs are addressed; their wishes and feelings are considered; appropriate pastoral support is offered; and parents/carers are informed unless doing so would place the child at risk or conflict with agency advice.

7.2 Support for the individual: the investigating officer will appoint a named welfare contact; explain the process and expected timescales; provide proportionate updates; signpost trade union/professional association support and the trust wellbeing or counselling support services and consider reasonable workplace support without compromising enquiries.

7.3 Support for witnesses and the reporting person: witnesses, whistleblowers and people raising concerns must be protected from victimisation. Support and confidentiality expectations will be explained, while making clear that information may need to be shared for safeguarding or legal reasons.

7.4 Parents/carers will be kept informed of progress and outcomes where appropriate and consistent with police, children's social care and LADO advice. They will not be given confidential employment information or details of any sanction.

8. Outcomes and next steps

8.1 The outcome of an allegation will be recorded using the KCSIE definitions:

- **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 who is the subject of the allegation.

- **False:** There is sufficient evidence to disprove the allegation.
- **Unsubstantiated:** There is insufficient evidence to either prove or disprove the allegation. This does not imply guilt or innocence.
- **Unfounded:** Where there is no evidence or proper basis which supports the allegation being made.

8.2 Following a police investigation or prosecution, the investigating officer will consult the LADO and trust HR about whether disciplinary or other employment action is still required. A decision by the police or Crown Prosecution Service not to charge, or an acquittal, does not automatically determine the employment outcome because the tests and standards are different.

8.3 Where the person is dismissed, removed from regulated activity, would have been removed had they not resigned or ceased providing services, or the relevant statutory conditions are otherwise met, the trust will make a prompt referral to the Disclosure and Barring Service. For teachers, the trust will also consider referral to the Teaching Regulation Agency.

8.4 Where an allegation is malicious or deliberately invented, the headteacher/principal or other appropriate investigating officer will consider proportionate action under the relevant pupil behaviour, staff disciplinary or other procedure. A child must not be penalised for making a report in good faith that is not substantiated.

8.5 Where an individual returns to work, the investigating officer and trust HR will plan and support the return, address professional relationships and contact arrangements, and correct unnecessary misinformation where appropriate while maintaining confidentiality.

9. Confidentiality and communications

9.1 The trust will make every reasonable effort to maintain confidentiality and guard against unwanted publicity while an allegation is being considered or investigated. Information will be shared in accordance with KCSIE Part 2.

9.2 The investigating officer will agree with the LADO, police, children's social care, trust HR and trust communications lead, as relevant: who needs to know; what can be shared; how speculation, leaks or online discussion will be managed; what parents/carers should be told; and how press interest will be handled under the trust's media protocols.

10. Record-keeping, retention and references

10.1 The investigating officer will ensure that a clear and comprehensive summary is kept, including the allegation, how it was followed up and resolved, decisions and reasons, actions taken, outcome and a declaration of whether the information will be referred to in future references.

10.2 Records will be maintained securely on CPOMS StaffSafe and, where required, the confidential personnel file, with restricted access. Records must distinguish fact, allegation, professional opinion and decision.

10.3 Records of allegations found to be malicious or false will be removed from the personnel record, subject to any separate lawful safeguarding record agreed with the LADO. Records of substantiated, unfounded and unsubstantiated allegations will be retained at least until the individual has reached normal pension age or for 10 years from the date of the allegation, whichever is longer.

10.4 Details of allegations found to be false, unfounded, unsubstantiated or malicious will not be included in employer references. Any reference to a substantiated safeguarding allegation must be factual, accurate and fair.

10.5 Information will be processed in accordance with UK data protection law, the trust Retention of Information and Records Policy and safeguarding retention requirements. Safeguarding information will not be withheld or destroyed merely because a data subject requests it; any request will be considered under the applicable law and exemptions.

11. Learning lessons

11.1 At the conclusion of every case, including cases found not to meet the harm threshold, the investigating officer, trust safeguarding lead, trust HR and LADO as appropriate will consider lessons learned for safeguarding culture, safer recruitment, induction, training, supervision, staff conduct expectations, information-sharing and record-keeping.

11.2 Where suspension was used, the review will consider its justification, duration, review arrangements, impact and whether a future case could be managed safely by alternative measures.

11.3 Learning will be shared in an anonymised and proportionate way. The trust will monitor themes across low-level concerns and allegations to identify patterns, organisational risks or training needs.

12. Concerns that do not meet the harm threshold (low-level concerns)

12.1 A low-level concern is any concern, no matter how small and even if it is no more than causing a sense of unease or a "nagging doubt", that an adult may have acted inconsistently with the Staff Code of Conduct, including inappropriate conduct outside work, but which does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

12.2 Low-level concerns must be reported and recorded promptly under the trust Low-Level Concerns Policy and on CPOMS StaffSafe. Staff are encouraged to self-refer where they have found themselves in a situation that could be misinterpreted, appears compromising, or may have fallen below professional standards.

13. Related legislation, statutory guidance and trust documents

- DfE Keeping Children Safe in Education 2026, particularly Part Four.
- Working Together to Safeguard Children (2026).

- Guidance for safer working practice for those working with children and young people in education setting (Feb 2022)
- Disclosure and Barring Service referral guidance.
- Teaching Regulation Agency teacher misconduct referral guidance.
- Employment Rights Act 1996, including statutory reporting restrictions concerning teachers.
- UK General Data Protection Regulation and Data Protection Act 2018.
- Trust Child Protection and Safeguarding Policy.
- Trust Low-Level Concerns Policy.
- Trust Staff Code of Conduct.
- Trust Whistleblowing Policy.
- Trust Disciplinary Policy and Scheme of Delegation.
- Trust Recording Information and Records Policy.
- Trust Media Protocols.

14. Appendices:

1. Allegations Against Staff: Decision Flowchart.
2. Reporting Routes, Outcomes and Non-Negotiables.

Appendix 1: ALLEGATIONS AGAINST STAFF: DECISION FLOWCHART

Quick-reference guide to the 2026 policy | Read alongside the full policy and current safeguarding guidance

1. A safeguarding concern or allegation is raised about anyone working in or on behalf of the school or Trust, whether paid or unpaid.

▼

MAKE SAFE	REPORT IMMEDIATELY	RECORD FACTUALLY
Address any immediate risk to a child.	Do not investigate, question witnesses, promise confidentiality or delay.	Record promptly on CPOMS StaffSafe. Serious allegations must also be reported verbally without delay.

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2. Investigating officer appointed, normally the headteacher / principal.
Use the alternative reporting route where that person, the trust leader or a trustee is implicated. Check and manage conflicts of interest.

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3. Initial consultation and threshold decision.
Consult Trust HR and the Trust safeguarding lead. Preserve evidence.
Where the allegation may meet the harm threshold, contact the LADO without undue delay.
Do not begin an internal investigation before taking appropriate guidance.

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MAY THE CONCERN MEET THE HARM THRESHOLD?
If in doubt, seek LADO advice.

YES ▼	▼ NO
HARM-THRESHOLD ROUTE Agree an action plan with the LADO and any other agencies. Confirm who leads each action, information-sharing, safeguarding measures, review points and expected timescales. Inform the individual as soon as practicable, but only share information agreed with police/children's social care where involved. Consider suspension only after risk assessment and reasonable alternatives.	**LOW-LEVEL CONCERN ROUTE** Manage under section 12 and the Trust Low-Level Concerns Policy. Record promptly on CPOMS StaffSafe. Consider appropriate support, management action and whether any pattern or wider safeguarding learning is emerging.

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4. Conclude, record and act.
Record the outcome and reasons. Consider employment action, required DBS/TRA referrals, return-to-work arrangements and support.
Maintain confidentiality and complete a learning review in every case.

Appendix 2: REPORTING ROUTES, OUTCOMES AND NON-NEGOTIABLES

Who to report to

Concern relates to	Report immediately to	CPOMS StaffSafe notification
staff member, supply teacher, trainee teacher, volunteer, contractor	headteacher / principal	notify headteacher / principal
headteacher / principal	trust leader	primary schools: trust safeguarding lead secondary schools: trust HR manager
trust leader	chair of trustees (notify Trust HR manager first)	Notify trust HR manager
trustee or chair of trustees	nominated safeguarding trustee or another independent trustee, with LADO advice	primary schools: trust safeguarding lead secondary schools: trust HR manager
governor or chair of governors	headteacher / principal	notify headteacher / principal
cannot be raised internally, or response believed unsafe	trust Whistleblowing Policy and/or NSPCC Whistleblowing Advice Line	N/A

Closing the case

KCSIE OUTCOME DEFINITIONS:

- Substantiated: sufficient evidence to prove.
- Malicious: disproved and deliberate deception/harm.
- False: sufficient evidence to disprove.
- Unsubstantiated: insufficient evidence to prove or disprove.
- Unfounded: no evidence or proper basis.

NON-NEGOTIABLES:

- Child welfare and safety are paramount.
- Do not investigate before appropriate guidance.
- Suspension is neutral, not automatic, and requires risk assessment.
- Resignation, sickness or non-cooperation do not end the safeguarding process.
- Support the child, individual, witnesses and reporting person.
- Protect confidentiality and record decisions and reasons.
- Complete a learning review in every case.

EMERGENCY: Where an immediate crime or risk requires it, contact police and/or children's social care first, then notify the LADO as soon as practicable.