Allegations Policy

2026/2027

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Reviewer	Jan McColl

Key Staff

Mrs L Orton	CEO/Executive Headteacher/Interim Headteacher Lord Scudamore
Mrs Z Beecham	SEND Director/Interim Headteacher Lord Scudamore
Mrs S Morris Davies	Head of School Lord Scudamore
Mrs V Bloore	Interim Headteacher of Sutton
Mr R James	Joint Headteacher Kings Caple and St Weonards
Mrs S Dean	Headteacher Llangrove
Mrs K Johnson	Headteacher of school Marden
Mrs V Goodman	Head of School Pencombe

Introduction

All schools are under an absolute duty to promote and safeguard the welfare of children at the school, and to have regard to guidance issued by the Secretary of State in so doing. HMFA schools take this responsibility seriously and will ensure that any allegation of abuse made against a teacher or other member of staff or volunteer in the school is dealt with fairly, quickly and consistently, in accordance with the DfE guidance.

This policy covers allegations that may meet the harms threshold.
Allegation/concerns that do not meet the harms threshold – referred to as 'low level concerns'. (See separate Low Level Concerns policy)

We recognise that any possibility that a member of staff may have hurt a student must be investigated thoroughly, but in a way that does not prejudice either the student or the member of staff.

The procedure documented within this policy must be used in any case where it is alleged that a teacher or other member of staff or a volunteer at the school has:

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

All members of staff in the school will be made aware of this policy during induction and will be reminded during annual safeguarding updates.

In the event of an allegation about a member of staff or volunteer in school the allegation should be reported to the Headteacher immediately unless the allegation is about one of the Headteacher in which case it should be reported to the relevant Chair of Governors.

The person receiving the disclosure **MUST** fully document all details of the conversation immediately.

If the allegation meets any of the following criteria:

A member of staff or volunteer has allegedly

- 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 he or she 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.

the Headteacher should report it to the LA Designated Officer (LADO) immediately and a Case Worker may need to be appointed.

The Headteacher should inform the accused person about the allegation as soon as possible after consulting the LA Designated Officer. However, where a strategy discussion is needed, or police or children's social care may need to be involved, the Headteacher should not do that until those agencies have been consulted, and have agreed what information can be disclosed to the person.

If the person is a member of a union or professional association s/he should be advised to contact that organisation at the outset.

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

There may be up to three strands in the consideration of an allegation:

- a police investigation of a possible criminal offence;
- enquiries and assessment by children's social care about whether a child is in need of protection or in need of services;
- consideration by the school of disciplinary action in respect of the individual.

In some circumstances the school will need to consider a case in which normal disciplinary procedures do not apply, and may need to act jointly with another organisation. That will be necessary when, for example, an allegation is made against a supply teacher provided by an employment agency or business, or against a person employed by a contractor, or a volunteer provided by a voluntary organisation.

Some cases will also need to be reported to DfE for consideration of including the person on the barred list.

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. They should also be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution. That includes the

outcome of any disciplinary process. N.B. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers of the child should be told the outcome.

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

The school should also keep the person who is the subject of the allegations informed of the progress of the case and consider what other support is appropriate for the individual. If the person is suspended, the school should also keep the individual informed about developments at school. If the person is a member of a union or professional association s/he should be advised to contact that body at the outset.

Every effort should be made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated/considered.

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 co-operate 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 co-operate. 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, the 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 Disclosure and Barring Service where circumstances require that.

It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. Every effort should be made to manage cases to avoid any unnecessary delay.

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 'Working Together to Safeguard Children'.

Suspension should be considered in any case where there is cause to suspect a child is 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 must not be suspended automatically, or without careful thought. The power to suspend is vested in the Headteacher and the Trust Board/Governing Body of the school.

The following definitions should be used when determining the outcome of allegation investigations:

- **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;**
- **False: there is sufficient evidence to disprove the allegation;**
- **Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence;**
- **Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.**

At the conclusion of a case in which an allegation is substantiated the LADO should review the circumstances of the case with the Headteacher and Chair of governors 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.

If an allegation is determined to be false, the LADO should refer the matter to children's social care to determine whether the child concerned is in need of services, or may have been abused by someone else.

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 the confidential personnel file of the accused 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 also provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction.

The record should be kept until the accused has at least reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.

When writing references, cases in which an allegation was proven to be false, unsubstantiated, malicious or unfounded should not be included in employer references.

Supply teachers

In some circumstances schools and colleges will have to consider an allegation against an individual not directly employed by them, where its disciplinary procedures do not fully apply, for example, supply teachers provided by an employment agency or business (referred to in this section as 'the agency').

Whilst schools and colleges are not the employer of supply teachers, they should ensure allegations are dealt with properly. In no circumstances should a school or college decide to cease to use a supply teacher due to safeguarding concerns, without finding out the facts and liaising with the LADO to determine a suitable outcome.

Trust Board/Governing Bodies should discuss with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the school, whilst they carry out their investigation.

Agencies should be fully involved and co-operate in any enquiries from the LADO, police and/or children's social services. The school or college will usually take the lead because agencies do not have direct access to children or other school staff, so they will not be able to collect the facts when

an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process.

Supply teachers, whilst not employed by the school or college, are under the supervision, direction and control of the Trust Board/Governing Body or proprietor when working in the school or college. They should be advised to contact their trade union representative if they have one, or a colleague for support.

The allegations management meeting which is often arranged by the LADO should address issues such as information sharing, to ensure that any previous concerns or allegations known to the agency are taken into account by the school during the investigation.

When using an agency, schools and colleges should inform the agency of its process for managing allegations. This should include inviting the agency's human resource manager or equivalent to meetings and keeping them up to date with information about its policies.

For any schools which hire out the use of their premises to a third party, the school has a duty to ensure that the group hiring the premises has all necessary safeguarding procedures and training in place. If there is an allegation about an individual involved in the group concerned, the school will also investigate and refer to the LADO if necessary.

For further in depth information on dealing with allegations please refer to section 4 of Keeping Children Safe in Education 2026. (Currently in draft form when this policy was revised.)