



FIRST BRIDGE EDUCATION

# Allegations Against Staff Policy



## Table of Contents

No.	Sub.	Title	Page
1.		Aims	3
2.		Definitions	3
3.		Scope	3
4.		Legislation and Guidance	3
5.		Roles and Responsibilities	4
	5.1	The Role of the DSL	4
	5.2	The Role of the DSO	4
	5.3	The Role of Staff	4
6.		Allegations Against Staff	4
	6.1	Initial Considerations	4
7.		Supporting Those Involved	5
	7.1	External Support for Pupils Involved	5
	7.2	External Support for Staff Involved	5
8.		Confidentiality	5
9.		Resignations or “Settlement Agreements”	5
10.		Record Keeping	6
11.		Oversight and Monitoring	6
12.		Actions Following Initial Considerations	6
	12.1	Actions in a Case Subject to Police Investigation	7
	12.2	Action of Conclusion of a Case	7
	12.3	Action in Respect of a False Allegation	7
13..		Version History	8
14.		Links to Legislation and Guidance	8
15.		Related Policies	8
16.		Appendix	8

## **1. Aims**

The aim of this policy is to ensure that all allegations made against staff members are managed fairly, promptly, and consistently. It is also to maintain compliance, ensure the welfare of children, and uphold the integrity of the Centre/School and its staff. The policy is aligned with statutory guidance, including Keeping Children Safe in Education (KCSIE) 2024, to protect the welfare of children and support staff involved in such allegations. By following this policy, we aim to create a safe and supportive environment for both pupils and staff, ensuring that all concerns are addressed with the utmost seriousness and confidentiality.

## **2. Definitions**

“The School”, “First Bridge School”, “First Bridge Centre” and “The Centre” are represented by First Bridge Education and will be referred to as either First Bridge or First Bridge Education, throughout this policy.

“Parents” includes the parents, guardians, or carers of a pupil.

“Pupil/s” and “Child” may be used synonymously throughout this policy.

“Staff” includes employees, volunteers, and individuals engaged in work with children under the Centre/school supervision.

“LADO” Local Authority Designated Officer responsible for overseeing the handling of allegations against staff.

“DSL” is the Designated Safeguarding Lead

“DSO” is the Designated Safeguarding Officer

“Allegation” is defined as ‘any claim or information suggesting that a member of staff has’:

- Behaved in a way that has harmed, or may harm, a child.
- Committed a criminal offence against, or related to, a child.
- Behaved in a manner that indicates unsuitability to work with children.

## **3. Scope**

This policy applies to all current staff members, volunteers, or contractors working at First Bridge Education. It also applies to individuals who are no longer employed by First Bridge, in cases where historical allegations arise.

Parents are made aware of this policy and its procedures for allegations made against staff as a part of their initial parent meeting (which usually takes place either before the child or pupils first day of admission, or on the day of admission), by the School/Centre Manager. The policy can also be accessed at any time on the school website.

This policy is closely linked to the school’s/centre’s Safeguarding Policy, Whistleblowing Policy Data Protection Policy and Disciplinary Policy. These policies can be made available on request.

## **4. Legislation and Guidance**

This policy is compliant with the following statutory frameworks and guidance:

- Keeping Children Safe in Education (KCSIE) 2024
- Working Together to Safeguard Children (2018, updated 2024)
- Education Act 2002
- Children Acts 1989 and 2004
- Data Protection Act 2018 (UK GDPR)

## **5. Roles and Responsibilities**

The following defines the roles and responsibilities of all who are involved in ensuring that this policy is executed accordingly.

### **5.1. The Role of the DSL**

The DSL is responsible for:

- Ensuring that all allegations are reported to the LADO and for implementing any recommendations arising from investigations.

### **5.2. The Role of the DSO**

The DSO is responsible for:

- To ensure the school maintains a safeguarding culture
- To deal with complex safeguarding and child protection concerns and needs
- To evaluate the effectiveness of the school safeguarding measures

### **5.3. The Role of the Staff**

All staff members are responsible for:

- Reporting allegations immediately to the Designated Safeguarding Lead (DSL) or, in their absence, Designated Safeguarding Officer (DSO). If the DSL is the subject of the allegation, staff must report directly to the Designated Safeguarding Director.
- Maintaining strict confidentiality to protect all parties involved.
- Fully cooperating with any investigations undertaken.

## **6. Allegations Against Staff**

All allegations should be reported to the DSL as soon as possible. In the absence of the DSL, the report should be given to the DSO. If the DSL is the subject of an allegation, then the report should be given straight to the line manager/COO. Allegations against a staff who is no longer an employee should be referred to the police. Historical allegations of abuse should also be referred to the police.

If the allegation meets any of the criteria above then it should be reported straight away to the Local Authority Designated Officer (LADO), and they will be responsible for providing advice.

### **6.1. Initial Considerations**

There may be up to 3 avenues for investigation in the initial consideration of an allegation:

- A police investigation of a possible criminal offence
- Enquiries and assessment by children's social care about whether a child needs protection or in need of services
- Consideration by First Bridge Education of disciplinary action in respect of the individual. (Where the person is not employed directly by the centre/school, this may include joint action with another organisation e.g. cover agency).

Some cases may also need to be reported to the Disclosure and Barring Service (DBS) for consideration whether to bar the individual, or in cases of serious misconduct consideration by the Secretary of State about issuing a prohibition order.

## **7. Supporting Those Involved**

Parents or Carers of the pupil/child involved should be informed of the allegation and its progress promptly, maintaining appropriate confidentiality. The pupil/child involved, as well as the individual against whom the allegation is made must be supported throughout the entire process.

### **7.1. External Support for Pupils Involved**

In cases where a pupil 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 involved may need.

### **7.2. External Support for Staff Involved**

The individual whom the allegation is against should have access to professional advice and if the person is part of a union or association, they should be advised at the outset to contact that body for advice and support. If suspended, the individual must be updated regularly on the investigation's progress. Where applicable, support such as counselling or mentoring should be provided to assist in their return to work.

## **8. Confidentiality**

Every effort must be made to maintain confidentiality throughout the investigation process, following restrictions under the Education Act 2002 and related guidance. Breaching confidentiality may result in disciplinary action. Reporting restrictions remain in place unless lifted by a court or waived by the individual involved.

## **9. Resignations or "Settlement Agreements"**

The fact that a person tenders their resignation, or ceases to provide their services, must not prevent an allegation from 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.

Settlement agreements by which a person agrees to resign, the school agrees not to pursue disciplinary action, and both parties agree a format of words to be used in any future reference, must not be used in these cases. If such an agreement is made, then it will not prevent a thorough

police investigation where that is appropriate. Nor can it override the statutory duty to make a referral to the DBS where circumstances require that.

## 10. Record Keeping

Records of allegations that are found to have been malicious should be removed from personnel files. However, for all other allegations, it is important that a clear and comprehensive summary of any allegation is made, details of how the allegation was followed up and resolved, and a note of any action taken, and decisions reached. This will be kept on a person's confidential personnel file on Breathe HR, and a copy provided to the person concerned. The record must be retained at least until the person reaches statutory retirement age or for a period of 10 years from the date of the allegation if that is longer.

This ensures that accurate records are maintained, safeguarding both the children and the staff involved.

## 11. Oversight and Monitoring

If the allegation is not patently false and there is a cause to suspect that a child/pupil is suffering or is likely to suffer significant harm, the LADO will immediately refer to Children's Social Care and request that a strategy discussion be convened straight away in accordance with "Working Together to Keep Children Safe" legislation. This discussion will include the LADO and the DSL, with HR support. If there is no cause to suspect significant harm but a criminal offence may have been committed, the LADO should promptly inform the police and convene a discussion to determine whether a police investigation is warranted. This discussion should also involve the school, and any other agencies involved with the pupil.

It is essential to evaluate and manage any possible risk of harm to the pupils posed by the accused individual. In some cases, the school may need to consider suspending the person until the case is resolved. Suspension should be contemplated if there is reason to believe a pupil is at risk of significant harm, if the allegation warrants a police investigation, or if the allegation is serious enough to be grounds for dismissal. However, suspension will not occur automatically or without careful thought. The DSL will determine if the circumstances warrant suspension from contact with children until the allegation is resolved and may seek advice from their personnel advisor while also considering alternative arrangements that could achieve the same result.

It is important to note that neither the local authority nor the police or children's social services can mandate the school to suspend a staff member or volunteer; only the DSL, the CEO, and the Board of Directors have the authority to do so. However, the LADO will gather views from the police and social care to inform the school consideration of suspension.

## 12. Actions Following Initial Considerations

Where the initial consideration decided the allegation does not involve a possible criminal offence it will be for the employer to deal with it. In such cases, if the nature of the allegation does not require formal disciplinary action, the Headteacher should institute appropriate action within **3 working days**. If a disciplinary hearing is required, the Headteacher should refer to the First Bridge Education's Disciplinary Policy.

Where further investigation is required to inform consideration of disciplinary action the Headteacher should follow the Centre' Disciplinary Policy for instigating investigations and may discuss who will undertake the investigation with the LADO. In any case, the investigating officer should aim to provide the report to the employer as soon as practicable.

On receipt of the report of the disciplinary investigation, the DSL and Hr advisor will consult with the LADO and decide whether a disciplinary hearing is needed within **2 working days**. If a hearing is needed it should be held in accordance with the school Disciplinary Policy.

In case in which children social care has undertaken enquiries to determine whether the pupil needs protection, the DSL and the HR Adviser should take account of any relevant information obtained during those enquiries when considering disciplinary action.

The LADO and DSL to continue to work in partnership with each other to monitor the progress of the case and LADO to provide advice/support when required

### **12.1. Actions in a Case Subject to Police Investigation**

If a criminal investigation is required, the police will aim to complete their enquiries as quickly as possible consistent with a fair and thorough investigation and will keep the progress of the case under review. A target date for reviewing progress of the case should be set at the outset. Wherever possible the review should take place **no more than 4 weeks** after the initial action meeting and, if the decision is to continue to investigate the allegation, dates for subsequent review should be set at that point.

If the police and/or CPS decide not to charge the individual with an offence, or decide to administer a caution, or the person is acquitted by Court, the police and children's social care should pass on all the relevant information to the employer **within 3 working days** of the decision.

If the person is convicted of an offence, the police should inform the employer straightaway so that appropriate action can be taken.

### **12.2. Action on Conclusion of a Case**

Upon concluding a case where a school discontinues an individual's services, or the individual ceases to provide services, the institution should consult with the LADO to determine if a referral to the Disclosure and Barring Service (DBS) or Ofsted is necessary. If a referral to Ofsted is deemed appropriate, it must be submitted within 14 days. Employers are legally obligated to refer to the DBS if they believe an individual has engaged in conduct that harmed, or could harm, a child, or if the person poses a risk of harm to a child. In situations where a suspended individual is permitted to return to work after the case concludes, the Headteacher should meet with the staff member to arrange a phased return and/or assign a mentor for support. Consideration should also be given to the individual's future interactions with the child or children involved, and to implementing procedures or practices that prevent similar incidents in the future

### **12.3. Action in Respect of a False Allegation**

If an allegation is determined to be false, the LADO should refer the matter to social care to determine whether the pupil concerned needs services or may have been abused by someone else.

In the rare event that an allegation is shown to have been deliberately invented or malicious, the Headteacher will consider disciplinary action against the pupil who made it.

### 13. Version History

This is version three of First Bridge Education Allegations Against Staff Policy. This policy will be reviewed annually by the Designated Safeguarding Lead or when legislation changes.

### 14. Links to Legislation and Guidance

This policy is supported by the following documents and legislation:

Document	Location
Keeping Children Safe in Education 2024	<a href="#">KCSIE 2024</a>
Working Together to Safeguard Children	<a href="#">Working Together to Safeguard Children</a>
Data Protection Act 2018	<a href="#">Data Protection Act 2018</a>

### 15. Related Policies

Safeguarding Policy
Whistleblowing Policy
Data Protection Policy
Disciplinary Policy

### 16. Appendix

- Reporting Allegations Flowchart
  - Report any allegation to the DSL/DSO immediately
  - Report any allegation to the DSL/DSO immediately.
  - The DSL/DSO will inform the LADO and seek advice.
  - The LADO will determine whether:
    - A police investigation is required for criminal matters.
    - Children's social care is needed for safeguarding concerns.
    - The matter should be handled internally as a disciplinary issue.
  - All follow-up actions will be documented, monitored, and reviewed to ensure compliance and thoroughness.