



# Dealing with Allegations or Concerns Raised Against Staff (including Supply Teachers), Volunteers, and Contractors

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## Update Information

This model policy will be subject to ongoing review and may be amended prior to the scheduled date of the next review in order to reflect changes in legislation, statutory guidance, or best practice (where appropriate).

## 1. Introduction

Schools and colleges must ensure that they promote an open and transparent culture in which all safeguarding/child protection allegations and concerns about adults working in or on behalf of the school are dealt with promptly, fairly and

consistently, and in a way that provides effective protection for the child, and at the same time appropriately supports the person who is the subject of the allegation/concern raised.

This procedure is drawn up taking account of the following prevailing guidance:

- [Working Together to Safeguard Children](#)
- [London Safeguarding Children Procedures and Practice Guidance](#)
- [Keeping Children Safe in Education \(KCSIE\)](#) – Statutory Guidance (Part Two “The management of safeguarding” and Part Four “Allegations made against/Concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors”).

## 2. Scope

Within this policy, references to the school, Headteacher, Governing Board and the Chair of Governors will, for Academies and Academy Trusts, be taken to mean a reference to the appropriate equivalent within those establishments.

Where the Headteacher is the subject of the allegation or concern, all references to the Headteacher should be replaced with Chair of Governors or the Chair of the Trust Board or equivalent designation within an Academy Trust.

This procedure applies to:

- All staff (including supply staff and volunteers)
- Governors who are employed or engaged by schools
- Contractors and other third parties engaged by schools and who use the school’s premises.

References to ‘staff’ within this policy includes supply staff and volunteers.

This procedure could be used to manage an allegation/concern which may have arisen outside of the school they are employed at.

Where the allegation/concern is against a member of staff this should be referred to the Headteacher or Principal or equivalent.

Where the allegation/concern is against the Headteacher or Principal or equivalent, this should be referred to the Chair of Governors, Chair of the Management Committee, Chair of the Trust Board or the equivalent designation within an Academy Trust.

Where the allegation/concern is against the Headteacher where the Headteacher is also the sole proprietor of an independent school, or a situation where there is a conflict of interest in reporting the matter to the Headteacher, this should be referred directly to the Local Authority Designated Officer (“the LADO”).

Where the allegation/concern is against a Governor then it should be referred to the Chair of Governors or Vice Chair (if allegation is against the Chair).

## 3. Allegation or Low-level concern?

The KCSIE Guidance 2021<sup>1</sup> distinguishes between:

- i. Allegations/concerns that **may** meet the harm threshold, and
- ii. Allegations/concerns that **do not** meet the harm threshold – referred to as “low-level concerns”.

<sup>1</sup> Version where this was first introduced – retained in prevailing KCSIE version.

#### 4. Allegations/Concerns that may meet the harm threshold

This procedure should be used in respect of all cases where it is alleged that anyone working in a school or a college that provides education for children (under 18 years of age) has:

- Possibly committed a criminal offence against or related to a child
- Behaved in a way that has harmed a child, or may have harmed a child
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children (includes behaviour that may have happened outside of school or college, that might make an individual unsuitable to work with children - this is known as transferable risk. Where appropriate, an assessment of transferable risk to children with whom the individual works should be undertaken).

These can include concerns relating to inappropriate relationships between members of staff and children or young people, for example:

- Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual (see [ss16-19 Sexual Offences Act 2003](#) and the [Police, Crime, Sentencing and Courts Act 2022](#))
- 'Grooming' i.e. meeting a child under 16 with intent to commit a relevant offence (see [s15 Sexual Offences Act 2003](#))
- Other 'grooming' behaviour giving rise to concerns of a broader child protection nature (e.g. inappropriate text/e-mail messages or images, gifts, socialising etc.)
- Possession of indecent photographs/pseudo-photographs of children.

In addition, these procedures should be applied when there is an allegation/concern that any person who works with children:

- Has behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include arrest for possession of a weapon
- As a parent or carer, has become subject to child protection procedures
- Is closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the member of staff is responsible in their employment/volunteering.

In these cases, the school has a reasonable expectation to be notified (within 24 hours or the next working day) of the personal circumstances by the individual concerned.

If it is difficult to determine the level of risk associated with an incident the following should be considered:

- Was the incident a disproportionate or inappropriate response in the context of a challenging situation?
- Where the incident involved an inappropriate response to challenging behaviour, had the member of staff had training in managing this?
- Does the member of staff understand that their behaviour was inappropriate and express a wish to behave differently in the future? For example, are they willing to undergo training?
- Does the child or family want to report the incident to the police or would they prefer the matter to be dealt with by the employer?
- Have similar allegations been made against the member of staff – is there a pattern developing?

Incidents which fall short of the threshold could include an accusation that is made second or third hand and the facts are not clear, or the member of staff alleged to have done this was not there at the time; or there is confusion about the account.

## 5. Low-level concerns – harm threshold not met

The KCSIE Guidance 2021 introduced a new duty on schools and colleges to deal with "low-level" concerns around safeguarding. A low-level concern is **any** concern (no matter how small) that an adult working in or on behalf of a school may have acted in a way that is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, but which is not serious enough to meet the harm threshold or to warrant a referral to the LADO.

The Guidance provides examples of low-level concerns which include:

- Being overly friendly with children
- Having favourites
- Taking photographs of children on their mobile phone, contrary to school policy
- Engaging with a child one-to-one in a secluded area or behind a closed door
- Humiliating children.

These concerns may arise in several ways, for example:

- Suspicion
- Complaint
- Disclosure made by a child/parent/other adult within or outside of the school
- As a result of vetting checks undertaken.

It is crucial that all low-level concerns are shared responsibly with the right person and recorded and dealt with appropriately. All staff must be able to recognise and appropriately report low-level concerns to prevent and eliminate risk of future safeguarding incidents and to create and embed an open and transparent culture at the school.

## 6. Roles and responsibilities (DSL, LADO, Supply Agencies)

All staff should be vigilant and know what to do if a child discloses to them that he/she is being abused or neglected. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the Designated Safeguarding Lead (or a Deputy Designated Safeguarding Lead), the LADO and the local authority children's social care services. Staff should never promise a child that they will not tell anyone about a report of abuse, as this may ultimately not be in the best interests of the child.

For low-level concerns, the school should ensure they create an environment where staff are encouraged and feel confident to self-refer, where for example, if a staff member has found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards and the Staff Behaviour Policy and [Code of Conduct](#).

Where the school is not the employer of the individual who is the subject of the allegation/concern (e.g. supply teachers, volunteers and contractors), they still have responsibility to ensure allegations are dealt with appropriately and that they liaise with all relevant parties concerned.

### 6.1 Designated Safeguarding Lead

The school should appoint:

- An appropriate senior member of the school's leadership team to the role of Designated Safeguarding Lead. The responsibilities of this role should be explicit in the role holder's job description (See [Appendix 5](#) which describes the broad areas of responsibility). All allegations/concerns of the type referred to in Sections 4 and 5 above should be reported to the Designated Safeguarding Lead.
- A deputy to the Designated Safeguarding Lead to whom reports should be made in their absence or where the Designated Safeguarding Lead is the subject of the allegation or concern. The responsibilities of this role should be explicit in the role holder's job description. (See [Appendix 5](#) which describes the broad areas of responsibility).

## 6.2 Local Authority Designated Officer

The Local Authority provides a central point of contact to whom the Designated Safeguarding Lead must report all appropriate allegations. This is the Local Authority Designated Officer (the LADO). The LADO's role is to:

- Receive reports about allegations and to be involved in the management and oversight of individual cases
- Provide advice and guidance to the school
- Liaise with the police, local authority children's social care services, and other agencies
- Monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process
- Provide advice and guidance to schools in relation to making referrals to the Disclosure and Barring Service (DBS) and other regulatory bodies such as Ofsted.

## 6.3 Supply Agencies

Agencies should be fully involved and co-operate in any queries from the LADO/Police/local authority children's social care services. The school will usually take the lead because agencies will not have direct access to children or other school staff so they will not be in a position to collect the facts when an allegation is made, nor will they have all the relevant information required by the LADO as part of the referral process.

When using agencies, the school should inform them of its process for managing allegations. This should include identifying a point of contact at the agency and providing them with a copy of this policy and access to any other relevant safeguarding policies, procedures, or practices. Agencies should be involved, if necessary, in any investigation relating to staff they have supplied to the school.

## 7. Allegations – What might be involved?

There are up to five strands in the consideration of an allegation:

- A police investigation of a possible criminal offence
- Local authority children's social care enquiries and/or assessment 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 against whom the allegation is made
- Consideration by the school of appropriate action in respect of supply staff against whom the allegation is made. Whilst the school is not the employer of supply staff, it should ensure allegations are dealt with properly. Schools should not decide to cease using supply staff due to safeguarding concerns, without finding out the facts and liaising with the LADO to determine a suitable outcome. The school should discuss all options with the supply agency with respect to the continued engagement of the supply staff whilst the investigation is being carried out
- Whether action in regards to the person making the allegation should be considered where the allegation has no foundation and may be malicious.

## 8. Initial response to allegations or concerns

This procedure needs to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above (for allegations) or may do so without warranting consideration of either a police investigation or enquiries by local authority children's social care services. In these cases, local arrangements should be followed to resolve cases without delay.

Some rare allegations will be so serious they require immediate intervention by local authority children's social care services and/or the police.

The LADO should be informed of all allegations that come to the school's attention and appear to meet the criteria so that they can consult the police and the local authority children's social care services as appropriate.

An allegation against a member of staff (or against contractors and Governors) may arise from a number of sources e.g. report from a child, a concern raised by another adult in the school, or a complaint by a parent. It may also arise in the context of the member of staff and their life outside work or at home.

Concerns about safeguarding should initially be reported to the Designated Safeguarding Lead or their Deputy.

### 8.1 Initial action by person receiving or identifying an allegation or concern

The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.

They should not:

- Investigate or ask leading questions if seeking clarification
- Make assumptions or offer alternative explanations
- Promise confidentiality but they should give assurance that the information will only be shared on a 'need to know' basis.

They should:

- Make a written record of the information (where possible in the child/adult's own words), including the time, date and place of incident(s), persons present and what was said
- Sign and date the written record
- Immediately report the matter to the Designated Safeguarding Lead. If the Designated Safeguarding Lead is absent or are themselves the subject of the allegation/concern, then the matter should be reported to the Deputy Safeguarding Lead or another appropriate senior manager.

All staff should be trained in how to report safeguarding concerns which, for certain staff will include the recording of details into a manual or electronic recording system (such as CPOMS). For those staff that do have responsibility for formally recording concerns, clear guidance should be provided on what to report and how to report it.

### 8.2 Initial action by the Designated Safeguarding Lead

#### 8.2.1 Allegations

There are two aspects to consider when an allegation is made:

- Looking after the welfare of the child - the Designated Safeguarding Lead is responsible for ensuring that the child is not at risk and referring cases of suspected abuse to the local authority children's social care as described in Part One of the KCSIE Guidance.

- Supporting the person subject to the allegation - the Designated Safeguarding Lead/Case Manager should discuss with the LADO, the nature, content and context of the allegation, and agree a course of action.

When dealing with allegations, schools should ensure they understand the local authority arrangements for managing allegations, including the contact details and what information the LADO will require when an allegation is made.

Before contacting the LADO, schools should conduct **basic enquiries** (neutral fact-finding process) in line with local procedures to establish the facts to help them determine whether there is any foundation to the allegation, being careful not to jeopardise any future police investigation. For example:

- Was the individual in the school/college at the time of the allegations?
- Did the individual, or could they have, come into contact with the child?
- Are there any witnesses?
- Was there any CCTV footage?

In making these basic enquiries, the Designated Safeguarding Lead should, at this stage, take the following steps:

- Obtain written details of the allegation/concern, signed and dated by the person receiving it (not the child/adult making the allegation)
- Approve and date the written details
- Record any information about times, dates and location of incident(s) and names of any potential witnesses
- Record discussions about the child and/or member of staff concerned, any decisions made, and the reasons for those decisions.

The Designated Safeguarding Lead should not investigate the matter or interview the member of staff, child concerned or potential witnesses.

The Designated Safeguarding Lead should review the information available and consideration should be given as to whether the case meets the threshold of harm/risk of harm. If the Designated Safeguarding Lead is unclear whether the allegation meets the threshold of harm/risk of harm, they should seek advice from the LADO.

If the allegation meets the threshold, the Designated Safeguarding Lead should report it to the LADO **within one working day** of the allegation being made and prior to any further investigation taking place.

A failure to report an allegation in accordance with procedures is a potential disciplinary matter.

If an allegation requires immediate attention, but is received outside normal office hours, the Designated Safeguarding Lead should consult the local authority children's social care services' emergency duty team or local police and inform the LADO as soon as possible.

### **8.2.2. Concerns**

If a concern has been raised, the Designated Safeguarding Lead or the Headteacher should collect as much evidence as possible by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously
- To the individual involved and any witnesses.

The information collected will help them to categorise the type of behaviour and determine what further action may need to be taken. All of this needs to be recorded in writing along with the rationale for their decisions and action

taken, similar to the steps as set out above for allegations.

Where the LADO has been approached because the school is unclear as to whether a disclosure falls into the category of an allegation or low-level concern, the purpose of the discussion with the LADO would be to establish how the disclosure should be treated and the process to be followed.

If the school is unclear as to whether a disclosure falls into the category of an allegation or low-level concern, they can refer the matter to the LADO. The purpose of the discussion with the LADO at this stage would be to establish how the disclosure should be treated and the process to be followed.

## **9. Initial discussion with the LADO**

### **9.1 Allegations**

The purpose of an initial discussion with the LADO is for them and the Designated Safeguarding Lead to consider the nature, content and context of the allegation and agree a course of action. The LADO and Designated Safeguarding Lead should consider whether further details are needed and whether there is evidence or information that establishes that the allegation is false or unfounded.

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 Designated Safeguarding Lead and the LADO, and agreement reached as to what information should be put in writing to the individual concerned and by whom. The Designated Safeguarding Lead should then consider with the LADO what action should follow in respect of the individual and those who made the initial allegation/raised the concern.

If the allegation is not demonstrably false and there is cause to suspect that the individual poses a risk of harm, the LADO should convene an Allegations against Staff and Volunteers (ASV) meeting/discussion.

If the allegation is about physical contact, the ASV meeting/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.

### **9.2 Low-level concerns**

These concerns are not generally expected to be referred to the LADO unless the school is unclear, at the initial stages, about the categorisation of the concern. Here, the LADO should be consulted.

## **10. "Allegations against Staff and Volunteers (ASV)" meeting/discussion**

An ASV meeting/discussion will decide the strategy for managing the allegation. Where necessary this will be a face-to-face meeting. Many cases can be managed through a discussion between the Designated Safeguarding Lead, the LADO, the police, and any other relevant agency. Where communication is via telephone or email, records should be kept for audit purposes.

Depending on the circumstances of the case, the LADO will make the decision on the appropriate professionals/agencies who should be in attendance. The ASV meeting/discussion will be chaired by the LADO.

The meeting/discussion should:

- Decide whether there should be a s47 enquiry and/or police investigation
- Consider whether any parallel disciplinary process can take place and agree protocols for sharing information

- Consider the current allegation in the context of any previous allegations or concerns
- Where appropriate, take account of any entitlement by staff to use reasonable force to control or restrain children (e.g. [Use of Reasonable Force in Schools DfE guidance](#))
- Consider whether a complex abuse investigation is applicable
- Plan enquiries if needed, allocate tasks and set timescales
- Decide what information can be shared, with whom and when.

The meeting/discussion should also:

- Ensure that arrangements are made to protect the child/ren involved and any other child/ren affected, including taking emergency action where needed
- Consider what support should be provided to all children who may be affected
- Consider what support should be provided to the member of staff and others who may be affected and how they will be kept up to date with the progress of the investigation
- Ensure that the investigations are sufficiently independent
- Make recommendations where appropriate regarding suspension or alternatives to suspension
- Identify a lead contact manager within each agency
- Agree protocols for reviewing investigations and monitoring progress by the LADO, having regard to the target timescales
- Consider issues for the attention of the Headteacher and Governing Board (e.g. media interest, resource implications)
- Consider reports for consideration of barring
- Consider risk assessments to inform the school's safeguarding arrangements
- Agree dates for future meetings/discussions.

A final meeting/discussion should be held to ensure that all tasks have been completed, including any referrals to DBS if appropriate, and, where appropriate, agree an action plan for future practice based on lessons learnt.

### **Meetings/discussions in relation to allegations against staff in their personal lives**

If an allegation arises about a member of staff (outside of their work with children) which may present a risk of harm or risk to child/ren for whom the member of staff is responsible through their employment, a meeting/discussion should be convened to decide whether the concern justifies further enquiries being made with the school to assess the level of risk of harm and how that should be dealt with.

In some cases, an allegation of abuse against someone closely associated with a member of staff (e.g. partner, member of the family or other household member) may present a risk of harm to child/ren for whom the member of staff is responsible through their employment. In these circumstances, a meeting/discussion should be convened to consider:

- The ability and/or willingness of the member of staff to adequately protect the child/ren
- Whether measures need to be put in place to ensure their protection
- Whether the role of the member of staff is compromised.

The meeting/discussion should take into account the following definitions when determining the outcome of allegation investigations:

1. **Substantiated:** There is sufficient evidence to prove the allegation that a child has been harmed or there is risk of

harm

2. **Malicious:** There is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the individual subject of the allegation
3. **False:** There is sufficient evidence to disprove the allegation, however, there is no evidence to suggest that there was a deliberate intention to deceive
4. **Unsubstantiated:** There is insufficient evidence to either prove or disprove the allegation, the term therefore does not imply guilt or innocence
5. **Unfounded:** There is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances.

## 11. Information sharing and confidentiality

### 11.1 Information sharing

Information sharing is vital in identifying and tackling all forms of abuse and neglect, and in promoting children's welfare, including their educational outcomes. Schools have clear powers to share, hold and use information for these purposes.

Staff should be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of the child/children.

Consideration should be given to the sharing of information with the:

- LADO
- Local Authority Children's Social Care Services
- Safeguarding Partners
- Police
- Other relevant agencies as required.

In an ASV meeting/discussion or the initial evaluation of the case, the agencies involved should share all relevant information they have about the individual who is the subject of the allegation, and about the alleged victim.

Where the police are involved, wherever possible, the school should ask the police to obtain consent from the individuals involved to share their statements and evidence for use in the disciplinary process. 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 children's social care services 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.

Where the school is not the employer of the person who is the subject of the allegation, they still have responsibility to ensure allegations are dealt with appropriately and that they liaise with all relevant parties concerned (this includes supply teachers and volunteers).

In considering when information is to be shared, the school must ensure that all relevant staff members have due regard to the data protection principles as provided for in the [Data Protection Act 2018](#) and the [UK General Data Protection Regulation](#) (UK GDPR). **NB:** The Data Protection Act 2018 and the UK GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the

way of the need to safeguard and promote the welfare and protect the safety of children.

## 11.2 Confidentiality

It is extremely important that when an allegation is made, the school makes every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

[Section 13 of the Education Act 2011](#) 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 (where that identification would identify the teacher as the subject of the allegation). The reporting restrictions apply until the point that the accused individual is charged with an offence, or until the Secretary of State publishes information about an investigation or decision in a disciplinary case arising from the allegation. The reporting restrictions are disapplied if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so or if a judge lifts restrictions in response to a request to do so. The provisions commenced on 1 October 2012.

The legislation imposing restrictions makes clear that 'publication' of material that may lead to the identification of the teacher who is the subject of the allegation is prohibited. 'Publication' includes 'any speech, writing, relevant programme or other communication in whatever form which is addressed to the public at large or any section of the public'. This means that a parent who, for example, published details of the allegation on a social networking site would be in breach of the reporting restrictions (if what was published could lead to the identification of the teacher by members of the public). Parents should therefore be made aware of the requirement to maintain confidentiality about allegations made against teachers whilst the investigation is ongoing.

In accordance with the [Authorised Professional Practice](#) published by the College of Policing in May 2017, 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 that individual is charged with a criminal offence (in exceptional cases where the police would like to depart from that rule, e.g. an appeal to trace a suspect, they must apply to the magistrates' court to request that reporting restrictions to be lifted).

Schools should take advice from the LADO, police and local authority children's social care services 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
- How to manage press interest if, and when, it should arise.

## 12. Outcome of "Allegations against Staff and Volunteers (ASV)" meeting/discussion

### 12.1 Cases leading to a police investigation and/or enquiries by local authority children's social care services

The meeting will consider if the school's disciplinary process can be taken forward in parallel with the criminal investigation; or whether it is necessary to wait for the outcome of the police enquiries before any disciplinary action can be considered.

Each case must be judged on its merits, but it is important to remember that the balance of proof in a disciplinary case is far less than in a criminal investigation, and a successful criminal prosecution is not essential for an employee to face disciplinary sanction. However, the school must be careful to ensure that their disciplinary investigations/actions do not in any way jeopardise a criminal investigation. Advice from the police and the LADO will be essential when making this decision.

Where a criminal investigation or a prosecution has taken place, the police should immediately inform the school and the LADO of the following:

- When a criminal investigation and any subsequent trial is complete
- If it is decided to close an investigation without charge or
- If it is decided not to continue to prosecute after a charge has been made.

## **12.2 Cases that do not require police investigation and/or enquiries by local authority children's social care services**

Where it is clear that an investigation by the police or local authority children's social care services is unnecessary, the LADO should discuss the next steps with the Designated Safeguarding Lead. In these circumstances the options open to the school will 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 individual's services in future.

The circumstances of the case and the school's own disciplinary and conduct policies will determine the most appropriate action.

If further investigation is necessary to enable a decision about how to proceed, the LADO should discuss with the Designated Safeguarding Lead how and by whom the investigation will be undertaken. In straightforward cases the investigation should normally be undertaken by a senior member of the school staff. However, in other circumstances, lack of appropriate resource or expertise within the school, or the nature or complexity of the allegation may require an independent investigator, in which case the school may consider commissioning an independent investigator.

## **13. Informing others involved**

The LADO will advise the school whether informing the parent of the child involved will impede the disciplinary or investigative processes. Acting on this advice, if it is agreed that the information can be fully or partially shared, the school should inform the parent. In some circumstances, however, the parent may need to be told straight away (e.g. if a child is injured and requires medical treatment).

While the parent can be kept informed about the general progress of the case, only in relation to their child, no information can be shared with them regarding the member of staff under investigation.

## **14. Informing the person accused of the allegation**

The school should seek advice from the LADO, the police and/or local authority children's social care services about how much information should be disclosed to the accused member of staff. Subject to restrictions on the information that can be shared, the school should, as soon as possible, inform the accused member of staff about the nature of the allegation, how enquiries will be conducted and the possible outcome (e.g., disciplinary action, dismissal, referral to the DBS and other regulatory body).

The accused member of staff should be:

- Treated fairly and honestly and helped to understand the concerns expressed and processes involved
- Advised to contact their trade union representative, if they have one, or a work colleague for support
- Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process
- (If suspended) provided with a named contact and be kept up to date about events in the workplace

- Given access to the school's Employee Assistance Programme (EAP) for support, if available.

## 15. Suspension

Suspension should not be an automatic response when an allegation is reported. Suspension should be considered in any case where:

- There is cause to suspect a child has suffered, or is likely to suffer harm; or
- The allegation warrants investigation by the police; or
- The allegation is so serious that it might be grounds for dismissal.

Views on suspension can be canvassed at any ASV meeting/discussion held. However, only the Headteacher or the Governing Board has the power to suspend and they cannot be required to do so by the LADO or the police, although schools should give appropriate weight to their advice.

Based on assessment of risk, the following alternatives should be considered by the Headteacher before suspending:

- Redeployment within the school so that the individual (i) does not have direct contact with the child/ children concerned and/or (ii) does not have unsupervised access to children
- Providing an assistant to be present when the individual has contact with children
- Redeploying to alternative work in the school so the individual does not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted. This decision should only be made if it is in the best interest of the child concerned
- Temporarily redeploying the member of staff to another role in a different location, for example to an alternative school within a multi-academy trust.

Where it has been deemed appropriate to suspend this should be confirmed in writing to the individual concerned **within one working day**.

Suspension will be in line with the school's [Disciplinary Policy & Procedure](#).

Please also see [Section 18](#) within this document for guidance on occasions where it may be necessary to make a referral to DBS when an individual is suspended or deployed to another area of work that is not regulated activity.

The school should appoint a named contact at the school for the staff member during their period of suspension.

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

## 16. Disciplinary or suitability process and investigations

The LADO and the Designated Safeguarding Lead should discuss whether disciplinary action is appropriate in all cases where:

- It is clear at the outset or decided by the ASV meeting/discussion that a police investigation or local authority children's social care services enquiry is not necessary; or
- The school or LADO is informed by the police or the Crown Prosecution Service that a criminal investigation and any

subsequent trial is complete, or that an investigation is to be closed without charge, or a prosecution discontinued

The discussion should consider any potential misconduct or gross misconduct on the part of the member of staff, and take into account:

- Information provided by the police and/or local authority children's social care services
- The result of any investigation or trial
- The different standard of proof in disciplinary and criminal proceedings.

The investigation and any subsequent disciplinary hearing should be held in accordance with the school's disciplinary policy and procedure.

If formal disciplinary action is not required, the school should institute appropriate action **within 3 working days**.

If a disciplinary hearing is required, and further investigation is not required, it should be held **within 15 working days**.

If further investigation is needed to decide upon disciplinary action, the school and the LADO should discuss whether the school has appropriate resources or whether it should commission an independent investigation because of the nature and/or complexity of the case and in order to ensure objectivity.

The aim of the investigation is to obtain, as far as possible, a fair, balanced and accurate record of the facts in order to consider the appropriateness of disciplinary action and/or the individual's suitability to work with children. Its purpose is not to prove or disprove the allegation.

If, at any stage, new information emerges that requires a child protection referral, the investigation should be held in abeyance and only resumed if agreed with local authority children's social care services and the police. Consideration should again be given as to whether suspension is appropriate in light of new information.

The investigating officer should aim to provide an investigation report **within 10 working days**. On receipt of the report the school should decide, **within 2 working days**, whether a disciplinary hearing is needed. If a hearing is required, it should be held **within 15 working days**.

For supply staff, the process described above, will be the responsibility of the supply agency and not the school.

## **17. Resignations and "Settlement Agreements"**

Every effort should be made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, even if:

- The individual refuses to co-operate, having been given a full opportunity to respond to the allegation and make representations;
- It may not be possible to apply any disciplinary sanctions if the person's period of notice expires (where the staff member has resigned) before the process is complete.

On that basis, so called "settlement agreements", by which a person agrees to resign provided disciplinary action is not taken and that a future reference is agreed, **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 DBS or to the Teaching Regulation Agency (TRA) where circumstances require that.

A settlement agreement which prevents the school from making a DBS referral where the criteria are met would likely result in a criminal offence being committed as the school would not be complying with its legal duty to make the referral.

## 18. Referrals to the Disclosure and Barring Service(DBS)/Teaching Regulation Agency (TRA)

Schools have a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child where:

- The harm test is satisfied in respect of that individual\*
- The individual has received a caution or conviction for a relevant offence, or if there is reason to believe a caution or conviction for a relevant offence (as set out in the [Safeguarding Vulnerable Groups Act 2006](#)), or if there is reason to believe that the individual has committed a listed relevant offence; and
- The individual has been removed from working (paid or unpaid) in regulated activity or would have been removed had they not left.

If the allegation is substantiated and the employee is dismissed, resigns, or otherwise ceases to provide their services, or the school ceases to use the individual's services, the Designated Safeguarding Lead should discuss with the LADO whether a referral to DBS is appropriate and, in the case of a teacher, consider whether to refer the matter to the Teaching Regulation Agency (TRA).

Referrals should be made as soon as possible after the resignation or removal of the individual and within one month of ceasing to use the individual's services. The DBS will consider barring the person from working in regulated activity, and the TRA, in the case of a teacher, will consider prohibiting the individual from teaching.

The legal duty to refer to DBS applies equally in circumstances where an individual is deployed to another area of work that is not regulated activity, or they are suspended. It is strongly recommended that advice be sought from the LADO prior to making a referral to DBS at this stage.

\*DBS guidance states that a person satisfies the harm test if they **may** harm a child or put them at risk of harm. A person satisfies the harm test if they **may**:

- Harm a child
- Cause a child to be harmed
- Put a child at risk of harm
- Attempt to harm a child
- Incite another to harm a child.

Harm can take many different forms and is considered in its widest context and may include:

- Sexual harm
- Physical harm
- Financial harm
- Neglect
- Emotional harm
- Psychological harm
- Verbal harm.

## 19. Lessons learnt

Throughout the process of dealing with the allegation and at the conclusion of a case, whatever the outcome may be, the LADO should review the circumstances of the case with the Designated Safeguarding Lead 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. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether the suspension was justified.

Lessons should also be learnt from the use of suspension when the individual is subsequently re-instated. The LADO and the Designated Safeguarding Lead should consider how future investigations of a similar nature could be carried out without suspending the individual.

## 20. Record keeping

### 20.1 Allegations

Details of allegations following an investigation that are found to have been malicious or false should be removed from personnel records.

For all other allegations (i.e. substantiated, unsubstantiated, and unfounded), it is important that the following information is kept on the staff member's confidential personnel file, and, if agreed by the local authority children's social care service or the police, a copy provided to the staff member concerned:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- A note of any action taken and decisions reached and the outcome (i.e. substantiated, unfounded, and unsubstantiated)
- A copy provided to the person concerned where agreed by the local authority children's social care service or the police
- A declaration on whether the information will be referred to in any future reference.

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 checks 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 kept in compliance with UK GDPR and at least until the individual has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

[Appendix 4](#) provides a Record of Allegations template that schools can consider using to record allegations of this nature.

### 20.2 Low-level concerns

All low-level concerns should be confidentially recorded in writing by the Designated Safeguarding Lead (or their deputy). The record should include:

- Details of the concern
- The context in which the concern arose
- Action taken
- The rationale for the decisions made.

The school should note the name of the individual sharing the concern unless the individual wishes to remain anonymous which should be respected as far as reasonably possible. Should the request for anonymity cause issues for the school this should be explored further with the individual concerned and advice from The Schools HR Co-operative where appropriate.

The concerns should be recorded in such a way which enables the school to identify patterns of inappropriate behaviour with respect to an individual. Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern is identified, the school should decide on a course of action either through its disciplinary procedures or whether a pattern of behaviour moves from a "concern" to "meeting the harm threshold", in which case it should be referred to the LADO.

The record should be kept in compliance with the UK GDPR for the duration of the individual's employment.

The Information Commissioner (ICO) has published guidance on employment records in its "[The Employment Practices Code](#)" – this guidance provides some practical advice on record retention."

## 21. Employer references

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

Schools should only refer to substantiated safeguarding allegations/concerns that meet the harm threshold in employer references, provided that the information is factual and does not include opinion.

Details of low-level concerns should not be included in employer references unless they:

- Relate to issues which would normally be included in an employer reference, for example, misconduct or poor performance; or
- Meet the threshold for referral to the LADO and were found to be substantiated.

It follows therefore that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in an employer reference.

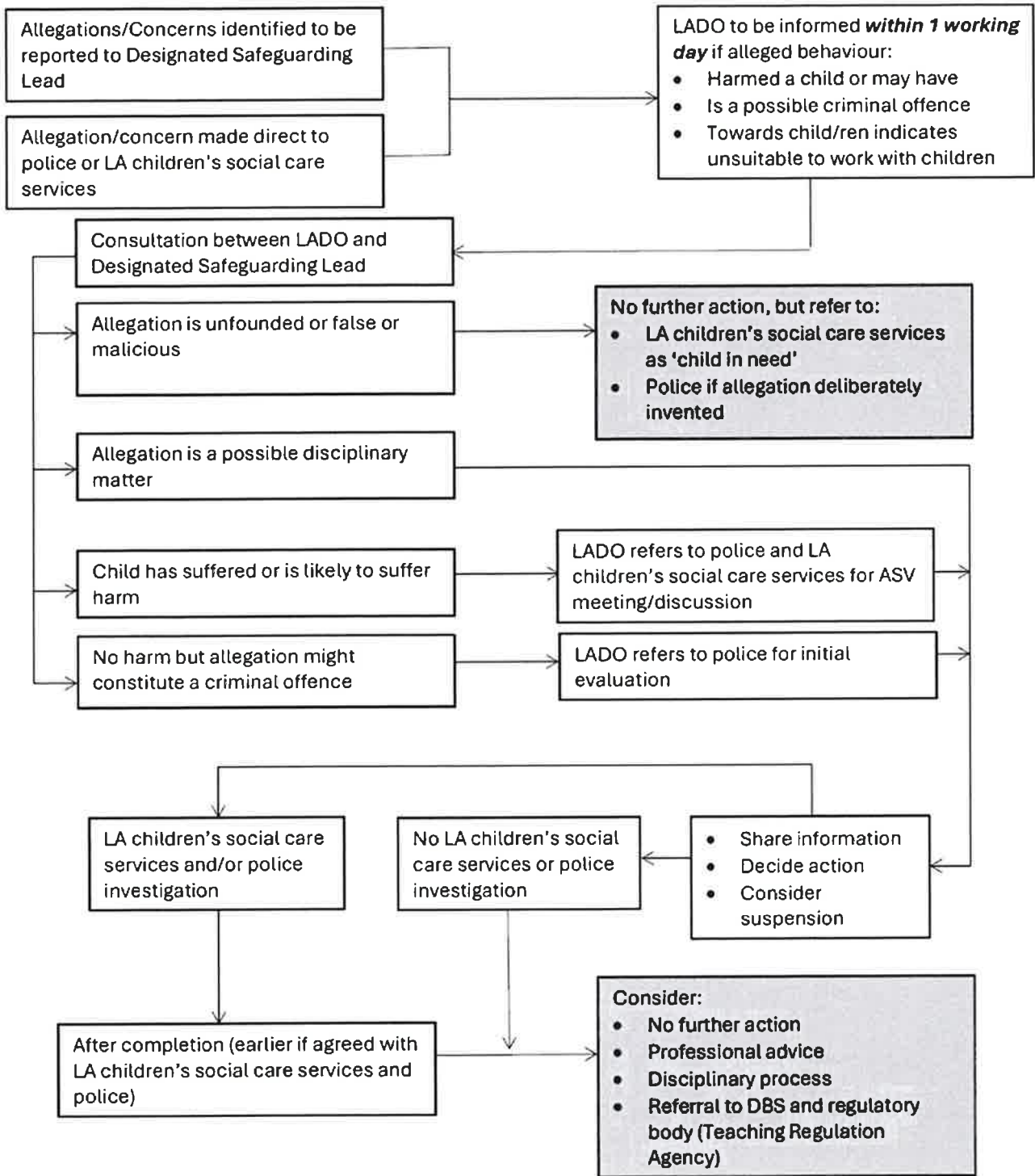
## 22. Non-recent allegations

Disclosure by Adult – where an adult makes an allegation to the school that they were abused as a child, they should be advised to report the allegation to the police.

Disclosure by Child – where a child makes an allegation, this should be reported to the LADO in line with relevant procedures adopted by the school. The LADO will co-ordinate with children's social care services and the police if required.

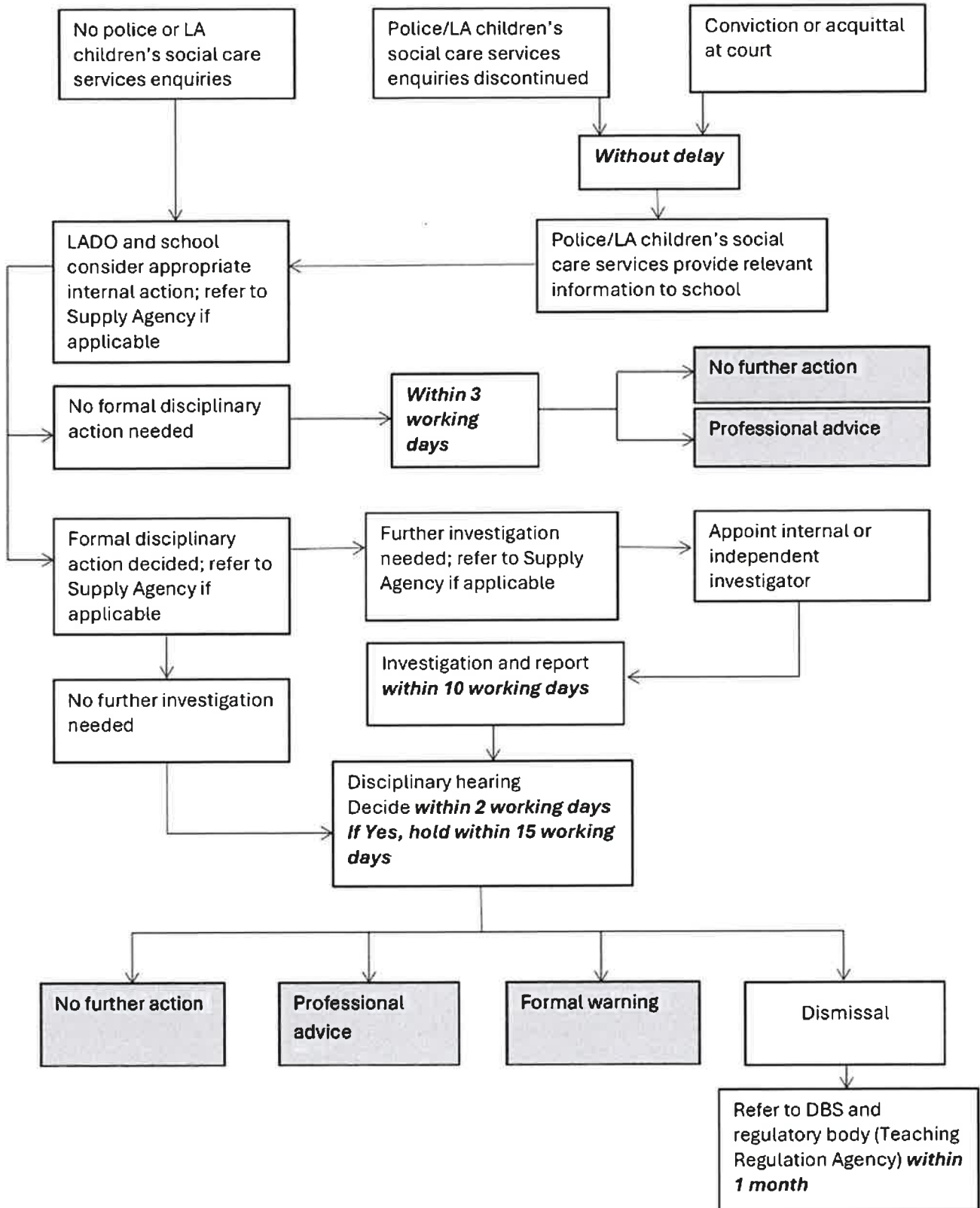
\*Abuse can be reported no matter how long ago it happened.

### 23. Appendix 1 - Allegations/Concerns against Staff (including Supply Staff, Volunteers, and Governors) Child Protection Process Flowchart



Appendix 1 - Allegations/Concerns against Staff (including Supply Staff, Volunteers, and Governors) Child Protection Process Flowchart

**24. Appendix 2 - Allegations/Concerns against Staff (including Supply Staff, Volunteers, and Governors) Disciplinary/Suitability Process Flowchart**



Appendix 2 - Allegations/Concerns against Staff (including Supply Staff, Volunteers, and Governors) Disciplinary/Suitability Process Flowchart

## 25. Appendix 3 - Summary of Actions

Schools can use the following summary as a checklist – but must refer to the full procedure for guidance.

- When an allegation is made or a concern raised it must be reported to the **school's Designated Safeguarding Lead**
- The Designated Safeguarding Lead should report an allegation to the **LADO** and also refer to them any concern raised for the purposes of determining how the concern should be dealt with where the Designated Safeguarding Lead is unclear as to how to proceed
- For allegations, the LADO will decide if an **ASV meeting/discussion** should be convened (in cases of risk of harm), and will arrange for that to happen
- If the harm threshold is not met, the LADO will carry out an **initial evaluation** – this may or may not involve the police and or local authority children's social care services
- For concerns, the LADO in discussion with the Designated Safeguarding Lead will determine if a concern is to be dealt with as a low-level concern
- The school and the LADO will agree the **next steps** – if possible, the employee will be informed of the allegation/concern at this stage
- The school will aim to carry out any agreed **next steps** within the recommended **timescales** (set out at [Appendix 2](#))
- Details of allegations following an investigation that are **found to have been malicious or false should be removed** from the personnel file. For all other allegations (substantiated, unsubstantiated, and unfounded) specific information should be kept on the file (as set out at [Appendix 4](#))
- Allegations that are **malicious, false, unsubstantiated, or unfounded should not be referred to in employer references**. Low-level concerns should not generally be included in employer references unless the exceptions referred to in [Section 21](#) of this procedure apply.

## 26. Appendix 4 - Record of an Allegation/Concern raised relating to an Adult who works with Children

HIGHLY CONFIDENTIAL - TO BE PLACED ON EMPLOYEE'S PERSONNEL FILE

### RECORD OF AN ALLEGATION/CONCERN RAISED RELATING TO AN ADULT WHO WORKS WITH CHILDREN

School: \_\_\_\_\_

Name of Employee (or Volunteer/Governor)	Employee Number	Date of Birth
Job Title	Date of Allegation/Concern	

#### PART ONE

#### **Explanatory statement**

This statement is made in accordance with prevailing guidance contained within:

- [Working Together to Safeguard Children](#)
- [London Safeguarding Children Procedures and Practice Guidance](#)
- [Keeping Children Safe in Education \(KCSIE\)](#).

Details of all allegations which, following an investigation, are found to have been malicious or false should be removed from personnel records. However, for all other allegations (i.e. substantiated, unfounded and unsubstantiated) it is important to record the following information on the personnel file:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- A note of any action taken and decisions reached and the outcome (i.e. substantiated, unfounded or unsubstantiated)
- Copy provided to the person concerned, where agreed by local authority children's social care or the police, and
- A declaration on whether the information will be referred to in any future employer reference.

Allegations that are malicious, false, unsubstantiated, or unfounded should not be referred to in employer references.

The purpose of this record is to enable accurate information to be given in response to any future request for a reference. It will provide clarification in cases where a future DBS Disclosure reveals information from the police about an allegation that did not result in a criminal conviction. It will also prevent unnecessary re-investigation if, as sometimes happens,

allegations resurface after a period of time.

This record will be retained on file at least until the employee has reached normal pension age or for a period of 10 years from the date of the allegation, if that is longer.

**PART TWO**

**Summary of allegation/concern**

**How allegation/concern was followed up**

**Outcome of investigation (see Part Three)**

**Action taken and decisions reached**

**Employee comments (if appropriate)**

**Designated Safeguarding Lead (School)**

**Name:**

**Signed:**

**Assigned Local Authority Designated Officer (if appropriate)**

**Name:**

**Signed:**

**Employee**

**Name:**

**Signed:**

### PART THREE

#### Possible outcomes for all allegations are:

1. **Substantiated:** There is sufficient evidence to prove the allegation that a child has been harmed or there is risk of harm
2. **Malicious:** There is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the individual subject of the allegation
3. **False:** There is sufficient evidence to disprove the allegation, however, there is no evidence to suggest that there was a deliberate intention to deceive
4. **Unsubstantiated:** There is insufficient evidence to either prove or disprove the allegation, the term therefore does not imply guilt or innocence
5. **Unfounded:** There is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances.

## 27. Appendix 5 - Role of the Designated Safeguarding Lead (as set out in the Keeping Children Safe in Education guidance)

### Designated Safeguarding Lead

Governing boards, proprietors and managements committees should ensure an appropriate **senior member** of staff, from the school **leadership team**, is appointed to the role of Designated Safeguarding Lead. The Designated Safeguarding Lead should take **lead responsibility** for safeguarding and child protection. This should be explicit in the role holder's job description. This person should have the appropriate status and authority within the school to carry out the duties of the post. They should be given the time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters, to take part in strategy discussions and inter-agency meetings, and/or to support other staff to do so, and to contribute to the assessment of children.

### Deputy Designated Safeguarding Leads

It is a matter for individual schools as to whether they choose to have one or more Deputy Designated Safeguarding Leads. Any deputies should be trained to the same standard as the Designated Safeguarding Lead and the role should be explicit in their job description.

While the activities of the Designated Safeguarding Lead can be delegated to appropriately trained deputies, **the ultimate lead responsibility for child protection**, as set out above, **remains with the Designated Safeguarding Lead. this lead responsibility should not be delegated.**

The broad areas of responsibility for the Designated Safeguarding Lead are:

### Managing referrals

The Designated Safeguarding Lead is expected to:

- Refer cases of suspected abuse and neglect to the local authority children's social care services, as required
- Support staff who make referrals to local authority children's social care services
- Refer cases to [the Channel programme](#) where there is radicalisation concern as required
- Support staff who make referrals to the Channel programme
- Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required; and
- Refer cases where a crime may have been committed to the police as required.

### Working with others

The Designated Safeguarding Lead is expected to:

- Act as a point of contact with the safeguarding partners
- Liaise with the Headteacher/Principal to inform them of issues especially ongoing enquiries under [section 47 of the Children Act 1989](#) and police investigations This should include being aware of the requirement for children to have an Appropriate Adult
- As required, liaise with the case manager (i.e. either the Headteacher/Principal) and the designated officer(s) at the local authority for child protection concerns in cases which concern a staff member
- Liaise with staff (especially pastoral support staff, school nurses, SENCOs, and IT Technicians) on matters of safety (including online and digital safety) and safeguarding and welfare and when deciding whether to make a referral by liaising with relevant agencies so that children's needs are considered holistically

- Act as a source of support, advice and expertise for all staff
- Liaise with the senior mental health lead and where available, the Mental Health Support Team, where safeguarding concerns are linked to mental health
- Promote supportive engagement with parents and/or carers in safeguarding and promoting the welfare of children, including where families may be facing challenging circumstances
- Work with the Headteacher and relevant strategic leads, taking lead responsibility for promoting educational outcomes by knowing the welfare, safeguarding and child protection issues the children in need are experiencing, or have experienced; and identifying the impact that these issues might be having on children's attendance, engagement and achievement at school. This includes:
  - Ensuring that the school knows who its cohort of children have or have had a social worker, understanding their academic progress and attainment, and maintaining a culture of high aspirations for this cohort; and
  - Supporting teaching staff to provide additional academic support or reasonable adjustments to help children who have or have had a social worker reach their potential, recognising that even where statutory social care intervention has ended, there is still a lasting impact on children's educational outcomes.

### **Filtering and monitoring of online security measures**

The Designated Safeguarding Lead should take lead responsibility for understanding the filtering and monitoring systems in place at the school and it should be covered in the safeguarding policy as well as in the safeguarding and child protection training which all staff receive, to ensure their understanding of these systems. KCSIE signposts schools and colleges to [the DfE's latest filtering and monitoring standards and cyber security standards for schools and colleges](#), which schools should read and have regard to when assessing whether their filtering and monitoring systems are appropriate.

### **Training, knowledge, and skills**

The Designated Safeguarding Lead (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years and provide a good understanding of their own role, how to identify, understand and respond to specific needs that can increase the vulnerability of children, as well as specific harms that can put children at risk, and the processes, procedures and responsibilities of other agencies, particularly children's social care.

The Designated Safeguarding Lead should undertake Prevent awareness training.

In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via e-bulletins, meeting other Designated Safeguarding Leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role so they:

- Understand the assessment process for providing early help and statutory intervention, including local criteria for action and local authority children's social care services' referral arrangements
- Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so
- Understand the importance of their role in providing information and support to children's social care in order to safeguard and promote the welfare of children
- Understand the lasting impact that adversity and trauma can have, including on children's behaviour, mental health and well-being, and what is needed in responding to this in promoting educational outcomes
- Ensure each member of staff has access to, and understands, the school's Child Protection Policy and Procedures, especially new and part-time staff
- Are alert to the specific needs of children in need, those with special educational needs and disabilities (SEND),

those with relevant health conditions and young carers

- Understand relevant data protection legislation and regulations, in particular the [Data Protection Act 2018](#) and the [UK General Data Protection Regulation](#)
- Understand the importance of information sharing, both within the school and with the safeguarding partners, other agencies and organisations and practitioners
- Are able to keep detailed, accurate, secure written records of concerns and referrals
- Understand and support the school with regards to the requirements of [the Prevent duty](#) and are able to provide advice and support to staff on protecting children from the risk of radicalisation
- Are able to understand the unique risks associated with online safety and be confident that they have relevant knowledge and up to date capability required to keep children safe whilst they are online at school
- Can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online
- Obtain access to resources and attend any relevant or refresher training courses
- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school may put in place to protect them.

## Raising awareness

The Designated Safeguarding Lead should:

- Ensure the school's child protection policies are known, understood and used appropriately by all members of staff
- Ensure the school's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing boards or proprietors regarding this
- Ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school in this
- Link with the safeguarding partner arrangements to make sure staff are aware of training opportunities and the latest local policies on local safeguarding arrangements
- Help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children who have or have had a social worker are experiencing, or have experienced, with teachers and leadership staff. Their role could include ensuring that the school and their staff know who these children are, understand their academic progress and attainment and maintain a culture of high expectations.

## Information sharing and managing the Child Protection file

The Designated Safeguarding Lead is responsible for ensuring child protection files are kept up to date.

Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child.

Records should include:

- A clear and comprehensive summary of the concern
- Details of how the concern was followed up and resolved
- A note of any action taken, decisions reached and outcome.

The Designated Safeguarding Lead should ensure the file is only accessed by those who need to see it and where the file or

content within it is shared, this happens in line with the information sharing advice as set out in Parts One and Two of the KCSIE Guidance.

Where children leave the school the Designated Safeguarding Lead should ensure their child protection file is transferred to the new school as soon as possible, and within 5 days for an in-year transfer or within the first 5 days of the start of the new term. This file should be transferred separately from the main pupil file, ensuring secure transit and confirmation of receipt should be obtained. Receiving schools should ensure key staff (for example, Designated Safeguarding Leads and SENCOs) are aware as required.

In addition to the child protection file, the Designated Safeguarding Lead should also consider if it would be appropriate to share any information with the new school in advance of a child leaving (for example, information that would allow the new school to continue supporting victims of abuse and have that support in place for when the child arrives).

In light of above, Designated Safeguarding Leads should be equipped to understand the importance of information sharing, both within the school and other schools on transfer including in year and between primary and secondary education and with the safeguarding partners, other agencies, organisations and practitioners.

The Designated Safeguarding Lead must understand the relevant data protection legislation and the regulations (for example, the Data Protection Act 2018 and the UK General Data Protection Regulation). They must be able to keep detailed, accurate, secure written records of all concerns, discussions and decisions made including the rationale for those decisions. This should include instances where referrals were/were not made to another agency such as the local authority children's social care services or the Prevent programme etc.

### **Availability**

During term time, the Designated Safeguarding Lead (or a Deputy Designated Safeguarding Lead) should always be available (during school hours) for staff in the school to discuss any safeguarding concerns. Whilst generally speaking the Designated Safeguarding Lead (or Deputy Designated Safeguarding Lead) would be expected to be available in person, it is a matter for individual schools, working with the Designated Safeguarding Lead, to define what "available" means and whether in exceptional circumstances availability via phone and/or other channels is acceptable.

It is a matter for individual schools and the Designated Safeguarding Lead to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

### **Providing support to staff**

Training should support the Designated Safeguarding Lead in developing expertise, so they can support and advise staff and help them feel confident on welfare, safeguarding and child protection matters. This includes specifically to:

- Ensure that staff are supported during the referrals processes; and
- Support staff to consider how safeguarding, welfare and educational outcomes are linked, including to inform the provision of academic and pastoral support.

### **Understanding the views of children**

It is important that children feel heard and understood. Therefore, the Designated Safeguarding Lead should be supported in developing knowledge and skills to:

- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, and in any measures the school or college may put in place to protect them; and
- Understand the difficulties that children may have in approaching staff about their circumstances and consider

how to build trusted relationships which facilitate communication.

Policy created: 05/2011

**15 Sep 2025**

Policy has been reviewed and refreshed. Refer to the Schedule of Amendments for full detail. [Schedule of amendments](#)

**10 Nov 2024**

Policy has been reviewed and refreshed. Refer to the Schedule of Amendments for full detail. [Schedule of amendments](#)

**25 Oct 2023**

Policy has been reviewed and refreshed. Refer to the Schedule of Amendments for full detail. [Schedule of amendments](#)

**27 Oct 2022**

Policy has been reviewed and refreshed. Refer to the Schedule of Amendments for full detail. [Schedule of amendments](#)

**30 Jun 2021**

Policy has been reviewed and refreshed, including updates to reflect the latest KCSIE statutory guidance. Refer to the Schedule of Amendments for full detail. [Schedule of amendments](#)

**03 Sep 2019**

Review and refresh of content to reflect the publication of the Department for Education "Keeping Children Safe in Education (KCSiE)" guidance effective from 03 September 2019. [Schedule of amendments](#)