



# Allegations Against Staff Policy and Procedure

Issue date: 15 January 2026

## Policy statement

This policy sets out how the provider manages safeguarding concerns and allegations about staff, volunteers and contractors, and how it handles complaints about staff (including those assessed as below the Local Authority Designated Officer (LADO) threshold). Safeguarding the welfare of children (under 18) and students of all ages is paramount. The provider will act promptly, fairly and in compliance with statutory guidance.

## Scope and definitions

- Applies to all employees, agency and supply staff, volunteers, contractors and governors/trustees engaged by the provider.
- Children: anyone under 18 years of age.
- Harm threshold (allegations): where it is alleged a person working with children has: (a) harmed or may have harmed a child; (b) possibly committed a criminal offence against or related to a child; (c) behaved towards a child in a way that indicates they may pose a risk of harm; or (d) behaved in a way that indicates they may not be suitable to work with children (including behaviour outside work).
- Low-level concerns / below-LADO-threshold complaints: behaviours inconsistent with the Staff Code of Conduct that do not meet the harm threshold but nonetheless require proportionate management, recording and review.

## Legal and regulatory framework

- Keeping Children Safe in Education (KCSIE), Part 4 — concerns or allegations about staff (including Section 2: concerns that do not meet the harm threshold).
- Working Together to Safeguard Children — multi-agency arrangements and LADO oversight.
- Education Act 2002 s.175 / s.157 duties to safeguard and promote welfare (schools and colleges).
- Disclosure and Barring Service (DBS) barring referral duties (Safeguarding Vulnerable Groups Act 2006, as amended).
- Teaching Regulation Agency (TRA) — referrals for serious teacher misconduct in relevant establishments (including sixth-form colleges).
- UK GDPR and Data Protection Act 2018 — lawful processing, special category/criminal offence data, data sharing and retention in safeguarding/HR investigations.
- ACAS Code of Practice on Disciplinary and Grievance Procedures (handling staff complaints and grievances).

## Roles and responsibilities

- Board of Trustees: oversees safeguarding compliance and approves this policy, overseen by Safeguarding Committee
- Chief Executive (Case Manager): leads management of allegations against staff (or Chair if allegation concerns the Chief Executive).
- Designated Safeguarding Lead (DSL): triages safeguarding concerns, consults LADO, liaises with children's social care and police, and advises on immediate protective actions.
- Investigating Officer (IO): conducts fact-finding for internal investigations and produces an investigation report.
- Hearing Officer/Panel: independent of the investigation; determines outcomes on the balance of probabilities.
- HR: advises on due process, records, confidentiality, suspension and disciplinary/grievance procedures.



## **Reporting and initial actions**

- Any concern or allegation must be reported immediately to the DSL and Case Manager. If the allegation concerns the CEO, report to the Chair.
- Within one working day, the Case Manager/DSL will consult the LADO if the harm threshold may be met. Suspension is not automatic and will be considered based on risk and available alternatives.
- Where a child may be at immediate risk, take protective action and contact police/children's social care as appropriate.



## Pathways

### **Allegations that may meet the harm threshold**

- Consult LADO within one working day; follow LADO advice and multi-agency processes.
- Coordinate internal investigation steps with police/children's social care as directed.
- Consider referrals to DBS (if removal from regulated activity and harm/relevant conduct) and TRA (for serious teacher misconduct), and any regulator as applicable.

### **Concerns/complaints that do not meet the harm threshold (low-level concerns)**

Where the LADO advises the threshold is not met, the provider will manage the matter under its low-level concerns and staff complaints procedure, ensuring proportionate action, accurate records and pattern analysis.

- Determine an appropriate immediate course of action, which may be a conversation or a full internal investigation.
- Record the concern with date, context, actions taken and rationale (maintained confidentially by the Case Manager/DSL/HR).
- Hold a prompt professional conversation with the staff member; confirm expectations under the Code of Conduct; provide guidance, training or management advice as appropriate.
- Escalate to formal HR procedures (disciplinary or capability) if warranted; offer right to be accompanied and right of appeal.
- Review records regularly to identify patterns; if emerging concerns indicate risk, reassess and consult LADO.
- Where the concern constitutes a grievance raised by a staff member, follow the provider's grievance procedure in line with the Acas Code (written grievance, meeting, written outcome, appeal).
- Consider support for children affected and communication with parents/carers where appropriate, balancing confidentiality and data protection obligations.



## **Investigation and hearing (internal)**

- Appoint an Investigating Officer; notify the staff member of the concerns/allegation, possible outcomes and their right to be accompanied.
- Gather evidence proportionately (statements, documents, CCTV, chronology). Provide the investigation report and evidence to the staff member and Hearing Officer in advance (usually 48+ hours).
- Conduct hearing: introductions, precise allegation, IO summary, staff response, questioning, closing remarks, adjournment for deliberation.
- Decide on the balance of probabilities; issue written outcome and rationale within five working days; set out appeal rights.

## **Possible outcomes**

- Unsubstantiated / Unfounded / False / Malicious.
- Substantiated: management guidance; formal warning (written/final); dismissal (with/without notice).
- Safeguarding referrals: LADO (where threshold later met), DBS (where legal duty exists), TRA (serious misconduct).
- Learning lessons: update training, supervision and Code of Conduct; consider culture and systems improvements.

## **Data protection, confidentiality and record keeping**

- Process personal data under UK GDPR/DPA 2018 using appropriate lawful bases (public task/legal obligation/legitimate interests) and conditions for special category/criminal offence data (with an appropriate policy document).
- Keep records secure, accurate and for no longer than necessary; restrict access to those with a need to know; consider redaction/pseudonymisation where feasible.
- Respond to subject access requests in line with ICO guidance; apply relevant exemptions where disclosure would prejudice safeguarding or investigations.



- Share information with agencies where necessary and proportionate for safeguarding; record the rationale for sharing or not sharing.

## **Timescales and review**

- Consult LADO within one working day for potential harm threshold cases.
- Aim to conclude internal investigations and issue outcomes within 20 working days where possible, subject to multi-agency processes.
- Policy review: annually or following changes in statutory guidance.

## **Statutory and good practice references (summary)**

- Keeping Children Safe in Education (DfE, current edition) — Part 4.
- Working Together to Safeguard Children (DfE, 2023 update).
- Education Act 2002 (s.175/s.157).
- DBS guidance on barring referrals and regulated activity.
- Teaching Regulation Agency — teacher misconduct referrals.
- Acas Code of Practice on Disciplinary and Grievance Procedures.
- ICO guidance on UK GDPR and Data Protection Act 2018 (safeguarding and data sharing).



## Ofsted expectations (inspection of safeguarding)

Ofsted inspects the effectiveness of safeguarding, including how leaders create an open safeguarding culture, how allegations and low-level concerns are handled, and the quality of records (e.g., referrals to the local authority/LADO, open cases with social care, single central record). Inspectors look for appropriate decision-making to keep children safe rather than technicalities. Providers should be prepared to evidence: (a) a culture of vigilance; (b) timely consultation with LADO; (c) coherent logs of concerns and outcomes; and (d) learning and improvement following incidents.

- Maintain a list of LADO referrals and brief outcomes and have it available for inspection.
- Ensure single central record (SCR), safer recruitment checks and safeguarding training records are up to date.
- Demonstrate pattern analysis and proportionate action on below-threshold concerns.
- Provide decision rationales and escalation records for threshold reassessments.

## Local Authority Designated Officer (LADO) contact details

[See full Safeguarding Policy](#)

## Supporting Policies

- ELATT Safeguarding Policy – [Children and Young People](#)
- ELATT Safeguarding Policy – [Vulnerable Adults](#)
- ELATT Safeguarding Policy – [Summary](#)
- ELATT Safeguarding Policy – [Reporting Procedure](#)



## **Appendix B: Flowchart – Managing allegations and staff complaints**

**Use this single-page flowchart to brief leaders and HR.**

START → Concern/allegation about a staff member is raised

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DSL & Case Manager notified immediately (if CEO is subject, notify Chair)

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Initial triage: Is the KCSIE harm threshold potentially met?

→ **If YES:** LADO consulted within one working day → follow LADO/multi-agency directions → consider police/CSC involvement → manage internal steps in coordination

→ **If NO / LADO advises below threshold:** manage as LOW-LEVEL CONCERN or STAFF COMPLAINT

### **LOW-LEVEL/COMPLAINT PATHWAY**

- Record concern (date, context, actions, rationale) in confidential log
- Professional conversation with staff member; confirm Code of Conduct expectations; training/advice
- Escalate to formal HR (disciplinary/capability) if warranted → investigation → hearing → written outcome → appeal
- Review pattern of concerns; reassess threshold and consult LADO if risk emerges



## **HARM-THRESHOLD PATHWAY**

- LADO Allegations management → immediate protective actions as advised
- Consider suspension only if necessary; alternatives first
- External referrals where legally/seriously warranted: DBS (duty if removal from regulated activity + harm/relevant conduct), TRA (serious teacher misconduct)

**END** → Written decision, rationale, learning lessons, record retention & data protection compliance



## Appendix C: Templates

### C1. Low-Level Concern Log (template)

Date/time logged: \_\_\_\_\_

Reporter (name/role/contact): \_\_\_\_\_

Person subject of concern (name/role): \_\_\_\_\_

Location/context: \_\_\_\_\_

Description of behaviour/concern (factual):  
\_\_\_\_\_

Immediate actions taken: \_\_\_\_\_

DSL/Case Manager triage notes: \_\_\_\_\_

LADO consulted? (Y/N; date/time; advice): \_\_\_\_\_

Action taken (guidance/training/management note/escalation):  
\_\_\_\_\_

Review date: \_\_\_\_\_

Outcome/closure notes: \_\_\_\_\_

Signature (Case Manager/DSL): \_\_\_\_\_



## **C2. Investigation Report (structure)**

1) Executive summary:

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2) Terms of reference and scope:

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3) Chronology of events:

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4) Evidence summary (witness statements, documents, CCTV, digital artifacts):

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5) Findings (on balance of probabilities):

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6) Mitigating/exacerbating factors:

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7) Safeguarding considerations and referrals (LADO/DBS/TRA as applicable):

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8) Recommendations:

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9) Appendices (evidence list, interview notes):

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### **C3. Outcome Letter (template)**

[Provider letterhead]

Date:

To: [Employee name/address]

Subject: Outcome of [investigation/hearing] regarding [allegation/concern]

Dear [Name],

1. Allegation/concern considered (precise wording):
2. Evidence considered:
3. Findings (on balance of probabilities):
4. Outcome (e.g., management guidance / written warning / final written warning / dismissal):
5. Rationale for decision:
6. Safeguarding referrals (if any):
7. Right of appeal (how, to whom, timescale):
8. Confidentiality and data protection notices:

Yours sincerely,

[Hearing Officer/Case Manager name and title]