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Distribution: All staff and stakeholders

Owner: Senior Leadership Team

Policy Lead: Head of Education

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This policy is reviewed annually or earlier if legislation or guidance requires.

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## 1. Introduction

### Purpose

This policy outlines the procedure for managing allegations against staff in line with *Keeping Children Safe in Education (2024)*. Labyrinth Education expects the highest standards of conduct from its team and commits to supporting them to meet these standards.

### Equality, Diversity & Inclusion Statement

Labyrinth Education is committed to a culture of inclusion and fairness. We oppose all forms of unlawful discrimination and ensure our policies are inclusive, equitable, and accessible. This document aligns with the Equality Act 2010, supporting an environment where all learners and staff feel respected, valued, and heard.

### Linked Policies

This policy should be read alongside:

- Safeguarding Policy
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## 2. Scope

This policy applies to all staff, volunteers, agency staff, contractors, and visitors who come into contact with learners.

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## 3. Allegations Meeting the Harm Threshold

### Definition

Based on *Part 4, Section 1 of Keeping Children Safe in Education*, this applies to allegations that a staff member has:

- Harmed or may have harmed a learner.
- Possibly committed a criminal offence related to a learner.
- Acted in a way suggesting they may pose a risk to learners.
- Behaved in a manner, inside or outside the education establishment, that indicates unsuitability to work with learners.

If unsure whether a concern meets the threshold, the Designated Safeguard Lead will consult with the Local Authority Designated Officer (LADO).

### Case Management

A designated case manager will oversee all investigations. This will typically be the Headteacher, unless the allegation concerns them, in which case the Proprietor will assume the role.

### Suspension

Suspension is not automatic. It will be considered only if a learner is at risk or the allegation is serious enough to warrant potential dismissal. Alternatives to suspension include:

- Redeployment within the college
- Supervised contact
- Temporary reassignment to another site or role

Guidance from the LADO, HR, police, or social care will inform the decision.

### Possible Outcomes

- **Substantiated:** Sufficient evidence supports the allegation.
- **Malicious:** The allegation is false and made with intent to harm.
- **False:** The allegation is untrue.

- **Unsubstantiated:** Inconclusive evidence.
  - **Unfounded:** No evidence or basis for the allegation.
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#### **4. Managing Allegations that Meet the Harm Threshold**

##### **Initial Steps**

The case manager will:

1. Conduct fact-finding inquiries.
2. Consult the LADO.
3. Inform the accused staff member of the concerns.
4. Determine whether suspension or other alternatives are necessary.
5. Assess any wider safeguarding risks.

##### **Suspension**

If deemed necessary, the rationale and alternatives considered must be documented. A named contact will be assigned to support the individual.

##### **No Further Action**

If no further action is taken, justification will be recorded, and agreed communication shared with relevant parties.

##### **Further Action**

Where action is necessary:

- Appropriate procedures will be initiated.
- Support for the staff member will be provided.
- Families of learners will be informed with sensitivity and discretion.
- Referrals to DBS or Teaching Regulation Agency will be made as required.

##### **Contracted Staff and Agencies**

Where agency staff are involved:

- We will work collaboratively with the agency.
- The Education Establishment leads the investigation.
- Agency HR representatives may be involved in meetings.

##### **Timescales**

- Clear unfounded allegations: within 1 working day.
- Minor actions (no formal hearing): within 5 working days.
- Disciplinary hearings: within 15 working days where feasible.

### **After Criminal Proceedings**

Case outcomes will be reviewed with the LADO and next steps agreed.

### **Case Conclusion**

Where an allegation is substantiated:

- Appropriate referrals will be made.
- Consideration given to barring or prohibition from teaching.

If staff return post-suspension, support and reintegration will be planned.

### **False or Malicious Allegations**

- If linked to a support need, a therapeutic response may be arranged.
- If intentionally false, disciplinary action may follow.

### **Confidentiality & Information Sharing**

Handled with discretion. Decisions on information sharing will be guided by the LADO, police and social care.

### **Record-Keeping**

Records will include:

- Summary of the allegation
- Process followed
- Outcome and rationale
- Any impact on references

False or malicious allegations will not be retained unless agreed by the individual.

Records are kept until the individual reaches pension age or for 10 years.

### **References**

We will:

- Exclude unfounded, false, unsubstantiated, or malicious allegations.
- Include substantiated allegations with objective facts only.

### **Learning Lessons**

After substantiated cases, we will:

- Review our processes with the LADO
- Reflect on use and length of suspension
- Identify improvements for future cases

### **Non-Recent Allegations**

All non-recent disclosures will be reported to the LADO. Adults disclosing historic abuse will be advised to contact the police.

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## **5. Concerns Not Meeting the Harm Threshold**

### **Definition**

Concerns that do not meet the harm threshold may still indicate:

- Minor breaches of the code of conduct
- Unprofessional behaviour
- Emerging patterns

Examples include:

- Over-familiarity with learners
- Favouritism
- Taking unauthorised photos
- One-to-one contact in secluded areas

### **Sharing Low-Level Concerns**

We foster a culture of openness by:

- Defining appropriate conduct
- Encouraging self-referral
- Addressing issues early
- Recording and reviewing concerns for patterns

### **Response & Record-Keeping**

- The Headteacher investigates concerns
- Information is documented confidentially
- Records reviewed periodically for patterns
- Concerns shared with external employers if applicable

### **References**

Low-level concerns will not be included unless:

- They were substantiated and met the harm threshold
  - They involve serious misconduct normally disclosed in references
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## **6. Monitoring Compliance**

The Executive Team will ensure oversight of cases, compliance with procedure, and dissemination of lessons learned.

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## **7. Linked Documents**

- Safeguarding Policy
  - Disciplinary Policy
  - Code of Conduct Policy
  - *Keeping Children Safe in Education (2024)*
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