Safeguarding & Duty of Care: Managing Allegations and Concerns Against Staff, Governors, and Volunteers

1. Forms of Inappropriate Behaviour and Abuse

Inappropriate behaviour or abuse by staff, governors, supply staff, contractors or volunteers includes, but is not limited to:

- **Physical:** Intentional use of force as a punishment, slapping, hitting with objects, throwing objects, rough handling or inappropriate physical restraint.
- **Emotional:** Intimidation, belittling, scapegoating, sarcasm, lack of respect for children's rights or discriminatory attitudes (based on race, gender, disability, sexual orientation or other protected characteristics).
- **Sexual:** Sexualised behaviour towards pupils, sexual harassment, sending or requesting inappropriate messages/images via social media/messaging apps, sexual assault, rape or making/sharing AI-generated sexual content or nudes.
- **Neglect:** Persistent failure to act to protect a child, failure to seek necessary medical attention or failure to conduct appropriate risk assessments.
- **Faith or Belief-Based Abuse (including Spiritual Abuse):** Using undue influence, religious coercion or pressure to control individuals, enforce obedience or justify harmful practices (such as severe chastisement, beatings or starvation).

2. Distinction Between Allegations and Low-Level Concerns

In accordance with KCSIE, the school distinguishes between full allegations and low-level concerns:

A. Full Allegations (Harm Threshold)

An allegation is managed under formal procedures if a staff member, governor or volunteer has:

1. Behaved in a way that has harmed a child or may have harmed a child;
2. Possibly committed a criminal offence against or related to a child;
3. Behaved towards a child/children in a way that indicates they may pose a risk of harm if they work regularly or closely with children; or
4. Behaved in a way (in or outside of school) that indicates they may be unsuitable to work with children.

B. Low-Level Concerns

A low-level concern is any concern—no matter how small—that a staff member may have acted in a way that is inconsistent with the staff code of conduct, but does not meet the harm threshold set out above. These must be reported to the Headteacher and recorded in writing to help identify patterns of behaviour early.

3. Reporting and Immediate Action

- **General Staff / Volunteers / Governors:** If an allegation or concern is raised against a member of staff, visitor, governor, or volunteer, the Headteacher must be informed immediately.
- **Allegations Against the Headteacher:** If an allegation is made against the Headteacher, the reporter must inform the Chair of Governors immediately, who will assume responsibility for managing the procedure and liaising with the LADO.

4. Initial Consideration and LADO Contact

1. The Headteacher (or Chair of Governors) must carry out an urgent initial consideration to establish the facts and determine whether the threshold for LADO referral is met.
2. **Crucial Rule:** The Headteacher/Chair of Governors must not conduct an internal investigation, interview pupils or interview the accused individual before consulting the Local Authority Designated Officer (LADO).

Action Pathways:

- **If the Allegation Meets the Threshold (Child Protection Concern):**
    - The Headteacher/Chair of Governors must contact the LADO within 1 working day.
    - The LADO will advise on next steps, including whether to involve Children's Social Care or the Police.
    - Suspension is not automatic and must only be considered after discussion with the LADO where there is a risk of harm to children or to allow an unhindered investigation.
- **If the Allegation Does Not Meet the Harm Threshold (Internal Conduct / Low-Level Concern):**
    - The matter will be managed internally under the school's disciplinary or low-level concerns procedures.
- **If the Allegation is Determined to be Without Foundation:**
    - All involved parties should be informed sensitively.
    - A clear summary record detailing the decision and reasons must be kept on the confidential safeguarding file.
    - *Note on Record Keeping:* Unsubstantiated, unfounded, false or malicious allegations must not be included on the individual's personnel file or referenced in future employment references.

5. Reporting to Regulatory Bodies

If an individual resigns, is dismissed, or ceases to provide their services following a substantiated safeguarding allegation, the school has a legal duty to make a referral to:

1. The Disclosure and Barring Service (DBS); and
2. The Teaching Regulation Agency (TRA) (for teaching staff).