



## A Guide to Managing Allegations in Education Settings

Keeping Children Safe in Education, details schools' and any education setting's responsibilities and role to ensure that all allegations or low-level concerns are managed appropriately. Central to this is the understanding, including for volunteers, contractors, agency staff and visitors, should they see, hear or know of behaviour that constitutes a concern, that those allegations or concerns must be reported. Such a concern should be made to the Headteacher or equivalent school leader in writing. Should the allegation or concern be about the Headteacher, then the Chair of Governors, or equivalent named person within the setting's safeguarding policy be contacted, again in writing.

It is for the Headteacher to act upon the information they receive using part 4 of KCSiE to inform and support their decision-making process. Adults must therefore be confident in their understanding of what such concerns might be, including if about visiting agency staff such as supply teachers. Such a concern or allegation must be shared in writing to the appropriate adult. This understanding should be confirmed through staff training, the setting's safeguarding policy and from clarity about adult's behaviour, including when using technology within the code of conduct.

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

On receipt of an allegation, the Headteacher must consider if the following criteria has been met, referred to as the 'harm threshold'. Has the adult, for whom the allegation has been shared:

- Behaved in a way that has harmed a child, or may have harmed a child and/or
- Possibly committed a criminal offence against or related to a child and/or
- Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

This list could include behaviour that has taken place outside of the school or through a digital means including sexual misconduct complaints or allegations, even when the alleged misconduct is in relation to another adult, may call into question the professional's suitability to work with children under transferable risk criteria.

Where this is, or likely to be the case, the Headteacher must contact the local authority designated officer (LADO). The LADO will work with the Headteacher (or Chair of governors should the allegation be about the Headteacher) to support any investigation, immediate actions required to safeguard children and consider, depending on nature of the allegation, if the Police or other relevant agency(ies) are required to be involved. In contacting the

LADO the Headteacher on behalf of the educational setting as the employer is not referring the case to the LADO and at all times retains responsibility for managing the allegation, any investigation into the allegation, in addition be the ultimate decision maker with regards to the outcome of any allegations management meeting undertaken.

In managing any such allegation, the Headteacher will, at all times take into account the welfare of all concerned in a timely manner.

### **Concerns that do not meet the harm threshold**

Concerns of any nature may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken. It is important that schools and colleges have appropriate policies and processes in place to manage and record any such concerns and take appropriate action to safeguard children. Creating a culture in which all concerns about adults are shared responsibly and with the right person, recorded and dealt with appropriately, is critical.

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the 'harm threshold'. A low-level concern is therefore any concern no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' that an adult working in or on behalf of the school or college may have acted in a way that is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, which should be reported in the same way as allegations to the Headteacher.

Where a concern is about the Headteacher, this should be shared with the Chair of Governors or named adult in a similar role who will either manage the process or appoint someone to manage the process.

#### **Examples of such behaviour could include, but are not limited to:**

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating or offensive language

Adults who have any such concerns must therefore be confident in their role to share these with the appropriate adult. Such concerns will be managed within the school's local policies and procedures.

# Allegations Management in Education

## Key Points:

### 1. Reporting Concerns:

- All allegations or concerns about adults must be reported to the Headteacher or equivalent school leader in writing.
- If the concern is about the Headteacher, it should be reported to the Chair of Governors or the equivalent named person in the safeguarding policy.

### 2. Understanding Concerns:

- Staff, volunteers, contractors, agency staff, and visitors must understand what constitutes a concern and report it appropriately.
- Concerns should be shared in writing and confirmed through staff training and the safeguarding policy.

### 3. Harm Threshold:

- The Headteacher must assess if the allegation meets the 'harm threshold':
  - Harmed or may have harmed a child.
  - Possibly committed a criminal offence against or related to a child.
  - Behaved in a way that indicates they may pose a risk of harm to children.
  - Behaved in a way that indicates they may not be suitable to work with children.

### 4. Involving the LADO:

- If the harm threshold is met, the Headteacher must contact the Local Authority Designated Officer (LADO). Contact with the LADO can be made to seek advice in this area.
- The LADO will support the investigation and determine if other agencies, such as the police, need to be involved.

### 5. Managing Allegations:

- The Headteacher retains responsibility for managing the allegation and the investigation.
- The welfare of all concerned must be considered throughout the process.

### 6. Low-Level Concerns:

- Low-level concerns do not meet the harm threshold but still need to be recorded and managed. Advice from the LADO is available on Low level concerns.
- Examples include being overly friendly with children, having favourites, taking photographs of children on personal devices, engaging with a child in a secluded area, or using inappropriate language.

### 7. Creating a Safe Culture:

- Schools must have policies and processes to manage and record concerns.
- A culture where all concerns are shared responsibly and dealt with appropriately is crucial.

**These points ensure that all allegations and concerns are managed appropriately to safeguard children in educational settings.**

**Links to further information:**

[Keeping Children Safe In Education](#)

[NSPCC - Managing allegations of abuse](#) – guidance and links for school leaders and staff

[Guidance for safer working practice](#) – Safer Recruitment consortium, updated 2022

[Gloucestershire LADO information page, including contact details](#) –

[GSCP Child Protection Procedure Manual](#)