WEST HATCH HIGH SCHOOL

THE BEST THAT I CAN BE

Procedure for Dealing with Safeguarding Allegations against Adults

Policy Date	October 2026
Policy to be reviewed	October 2027
Signed by the Headteacher	
Ratified on the by the Chair of Governors	
Signed:	

This is a model policy/procedure which reflects legislation, any relevant statutory and non-statutory guidance and best practice. The responsibility for setting policy and procedure resides with the Governing Board/Trust and as such the relevant body must be satisfied that the content of the policy/procedure suits their requirements and must consult their staff/local trade union representatives prior to its formal adoption.

Updates since last edition (2025)

1. Introduction / Scope	Updated to Keeping Children Safe in Education 2026; trainee teachers expressly included.
2. Third-party arrangements	Clarified shared safeguarding responsibilities with agencies, contractors and teacher-training providers.
3. Procedures	Added current wording on transferable risk, basic fact-finding, organisations using school premises and current LADO routes.
4. Records / References	Updated record-keeping, references, DBS and TRA wording in line with KCSIE 2026.
5. Confidentiality / Information sharing	Updated to current data protection terminology and the September 2026 statutory Information Sharing Duty.

Contents

1. Introduction....4
2. Scope....4
3. Roles and Responsibilities....4
4. Procedures....5
5. Suspension and alternatives....6
6. Procedures where the harm test is met....7
7. Internal Procedures....8
8. Conclusion of safeguarding cases....8
9. Support for those involved....10
10. Confidentiality....10

1. Introduction

This Procedure details how safeguarding concerns and allegations against any adults engaged to work in the school will be dealt with. This includes circumstances where the allegation did not take place at the school or on school premises. “Work” includes on a voluntary basis, including as a governor.

These procedures are in accordance with the Department for Education statutory guidance document ‘Keeping Children Safe in Education 2026’ (KCSIE 2026), in particular Part Four: safeguarding concerns or allegations made about staff, including supply teachers, trainee teachers, volunteers and contractors.

The following principles apply:

- all concerns and allegations will be taken seriously;
- all concerns and allegations will be dealt with appropriately and in liaison with relevant parties, even where they relate to a person who is not an employee;
- all concerns and allegations will be dealt with quickly, and in a fair and consistent manner that provides effective protection for the child, and at the same time, supports the person who is the subject of the allegation.

2. Scope

This Procedure applies when there is a safeguarding concern or allegation in relation to employees (including the Headteacher/CEO), supply and agency staff, trainee teachers, volunteers, contractors and governors.

The school expects full co-operation and participation by third-party employers/agencies and, where relevant, teacher-training providers in the operation of this Procedure. The school will ensure that all third-party employers/agencies are notified of this procedure before allowing any individuals employed or placed by them to start work at the school. The school and the third-party organisation share safeguarding responsibilities: the school remains responsible for gathering the facts and managing the safeguarding process, while the employer, agency or training provider will usually lead on any disciplinary or employment action.

Where an allegation relates to a person who is no longer working at the school, or is non-recent, the school will follow current KCSIE and local LADO procedures. Where an adult reports that they were abused as a child, they will be advised to report the allegation to the Police. A non-recent allegation made by a child will be reported to the LADO, who will coordinate with Children’s Social Care and the Police as appropriate. Abuse can be reported no matter how long ago it happened.
Where an allegation relates to an individual or organisation using school premises to run activities for children (for example, a community group, sports association or external service provider), the school will follow its safeguarding procedures and inform the LADO as appropriate.

3. Roles and Responsibilities

It is everyone’s responsibility to safeguard children, and everyone has a role to play in identifying concerns, sharing information, taking prompt action and fully co-operating with this Procedure. All adults should make themselves aware of their responsibilities in this regard as set out in the Code of Conduct.

Any safeguarding concern or allegation about an adult working in or on behalf of the school, no matter how small, must be reported without delay. A concern or allegation that may meet the harm threshold should be referred to the Headteacher, who will consider whether an onward referral to the LADO is required. Where the concern or allegation relates to the Headteacher, it must be referred to the Chair of Governors. Where there is a conflict of interest in reporting the matter to the Headteacher, it should be reported directly to the LADO. Concerns about a governor should be reported to the Chair of Governors; concerns about the Chair should be reported to the Vice Chair or, where unavailable, the safeguarding governor. Concerns that do not meet the harm threshold must be shared and managed in accordance with the school’s Low-Level Concerns for Staff Policy and Staff Code of Conduct.

Whistleblowing

Where at any point an individual feels unable to raise an issue with the appropriate person set out above, for example due to the sensitivity of the issue, or feels that their genuine concerns are not being addressed, they may refer to the Whistleblowing Policy. This policy sets out the framework for how issues can be raised confidentially internally and/or, if necessary, outside the management structure of the school to a prescribed body. For safeguarding and child protection allegations, individuals can contact the Essex Local Authority Designated Officer (LADO) at lado@essex.gov.uk. Where an immediate out-of-hours social care referral is required, the Essex Emergency Duty Team can be contacted on 0345 606 1212. The NSPCC Whistleblowing Advice Line is also available on 0800 028 0285 (08:00–20:00 Monday to Friday and 09:00–18:00 at weekends) or help@nspcc.org.uk.

4. Procedures

In some cases, a concern will have been reported to, or discovered by, Social Care, the Police or the Local Authority Designated Officer ("LADO"), who will in turn inform the school (and where appropriate the third-party employer) and will initially lead and direct the investigation. In such cases the school, and where appropriate the third-party employer, will follow the advice and directions of these agencies as set out in Section 6.

Where a concern or allegation is initially reported to the school, the matter will be taken seriously and considered with an open mind. Where the school identifies that a child has been harmed, there may be an immediate risk of harm, or the situation is an emergency, Children's Social Care and, as appropriate, the Police will be contacted immediately. Where an allegation may meet the harm threshold, the case manager will discuss the nature, content and context of the allegation with the LADO and agree a course of action. The school will follow the advice of the LADO, Police and/or Children's Social Care so that any necessary enquiries do not jeopardise a future investigation.

Assessment

Concerns raised will vary from allegations that may meet the harm threshold to concerns that do not meet the harm threshold (low-level concerns). The Headteacher (or Chair of Governors where appropriate), with advice from the DSL and LADO where required, will make an initial assessment to determine how the matter should be dealt with, ensuring any action is appropriate and proportionate. Low-level concerns will be managed under the school's Low-Level Concerns for Staff Policy. Where misconduct is suspected, the school's relevant internal procedures will apply.
However, in cases where misconduct is suspected the following steps will be followed.

Initial investigation

The headteacher or Chair of Governors where the allegation relates to the headteacher, will themselves, or arrange for an appropriate person, to be the case manager. The case manager will obtain advice and support as necessary, for example from their human resources provider.
In certain circumstances, such as the lack of appropriate resources within the school or, given the nature or complexity of the allegation, the school may engage an independent investigator to be the case manager.

Third-party/Agency workers and trainee teachers

Where a concern or allegation relates to a person employed or supplied by a third party/agency, or to a trainee teacher placed at the school, the case manager will inform and liaise with the employer, agency or teacher-training provider. The school remains responsible for gathering the facts and managing the safeguarding process and will usually take the lead on handling the allegation, while the employer/agency or training provider will usually lead on any disciplinary action. Their human resources representative or equivalent will be invited to relevant meetings and kept appropriately informed.

The case manager will carry out a brief initial investigation to gather enough information to establish whether the allegation has foundation and whether the information indicates that a person has met the “harm test”, which is that they have:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates he or she would 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

This “harm test” is explained in KCSIE and in Disclosure and Barring Service guidance. The final criterion above includes behaviour that may have happened outside school which could indicate that the individual may be unsuitable to work with children. This is known as transferable risk. Where appropriate, the school will assess any transferable risk to children with whom the person works and will seek advice from the LADO if in doubt.

Before contacting the LADO, the school may undertake basic enquiries in line with local procedures to establish the facts and help determine whether there is any foundation to the allegation, while taking care not to jeopardise any future Police investigation. This initial fact-finding will be carried out promptly and may include:

- making a detailed written, signed and dated record of the information reported;
- asking the person reporting the concern to immediately provide a written statement which should be signed and dated;
- basic fact checking, for example whether the individual was in school at the relevant time, whether they did or could have come into contact with the child, whether there were witnesses and whether relevant CCTV footage exists; and making a written and dated record.

Parents will be informed immediately if the child is injured or needs medical treatment.

The case manager will not:

- investigate in great depth or ask leading questions;
- interview the accused, children or any witnesses;
- make assumptions or offer alternative explanations;
- promise confidentiality, although may give assurance that the information will only be shared on a 'need to know' basis.

If the case manager considers the harm test to have been met, Section 6. of these procedures will then apply.

In many cases, the harm test will not be met, and internal procedures will be followed as set out in Section 7. of these procedures.

5. Suspension and alternatives

Suspension will not be an automatic response to an allegation. On the basis of the facts available at each stage, the case manager will consider carefully whether it is necessary to remove the person from certain roles or contexts, or from the school entirely. All reasonable alternatives to suspension will be considered first. Suspension may be appropriate where:

- there is cause to suspect a child or other children at the school are at risk of harm;
- the case is so serious that it might be grounds for dismissal;
- allowing the employee to remain at work could hinder the investigatory process; or
- there is a restriction in place such as bail conditions or an interim prohibition order.

The LADO may advise on this matter, but the decision will be made by the school.

Employees
The case manager will undertake a detailed risk assessment and explore all options to avoid suspension such as redeployment or reallocation of duties will be considered. If suspension is considered necessary, the rationale and justification will be recorded in the risk assessment in addition to the alternatives to suspension that were considered and why they were considered not to be appropriate in the circumstances. The employee will receive written confirmation of their suspension, including written reasons for the suspension, within one working day. They will also be notified of the support available (see section 9. below).

Volunteers
The case manager will make a judgement, based on the nature of the concern or allegation and the evidence available, about whether it is appropriate to stop the volunteer attending school while the investigation is carried out.

Third Party/Agency Workers
The case manager will liaise with the third-party employer/agency or teacher-training provider to determine whether it is appropriate to redeploy or suspend a supply teacher, contractor or trainee teacher during the investigation. The school will not simply cease to use or host the individual because of safeguarding concerns without establishing the facts and liaising with the LADO to determine a suitable outcome.

Governors
Where appropriate, a governor may be asked to absent themselves from some or all aspects of their functions, or in the most serious cases, and where regulations allow, may be suspended during an investigation.

All arrangements will be discussed with the person concerned, confirmed in writing and kept under regular review.

Referral to the Disclosure and Barring Service
There is a legal requirement for schools and colleges to make a referral to the DBS where an individual is removed from regulated activity (or would have been removed had they not left or, in the case of a volunteer, ceased to volunteer) and the referral criteria are met. Referrals should be made as soon as possible when the individual is removed from regulated activity, which can include dismissal, redeployment to work that is not regulated activity, resignation or ceasing to volunteer. The school will provide as much relevant information as possible. The statutory criteria include where the individual has:

- engaged in relevant conduct in relation to children and/or adults, and/or
- satisfied the harm test in relation to children and/or vulnerable adults, and/or
- been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence.

6. Procedures where the harm test is met

Where the harm threshold may be met, the case manager will report the allegation to the Essex LADO without delay and within one working day, in line with local procedures. Current Essex arrangements require referrals to be made in writing via lado@essex.gov.uk. Failure to report an allegation or concern in accordance with procedures may be a disciplinary matter.

The LADO will liaise with other agencies such as the Police or Children's Social Care as appropriate; to determine next steps and the school will follow the directions of these agencies.

This may include:

- what, if any, information can be shared with parents and the accused person and at what point;
- provision of further information about child/ren or adults; and
- attendance at a strategy or management planning meeting to share relevant information and plan next steps.

The LADO will advise the school when statutory agency involvement is concluded and the matter can be handed back to the school to be dealt with through internal procedures, as set out in Section 7.

Criminal cases
In most cases, internal procedures cannot be applied until the conclusion of police processes. The police should inform the employer and designated officer(s) immediately when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after the person has been charged. In those circumstances, the designated officer(s) should discuss with the case manager whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or children's social care services should inform that decision. Where the police are involved, wherever possible the employer should ask the police to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process.

7. Internal Procedures

Where the harm threshold is not met, and where any LADO, Children's Social Care and/or Police involvement has concluded and it is agreed that the school can follow its internal procedures, the matter will be managed in accordance with the Low-Level Concerns for Staff Policy, Staff Code of Conduct and, where appropriate, the Disciplinary Procedure. All low-level concerns will be recorded and reviewed so that potential patterns of inappropriate, problematic or concerning behaviour can be identified. If, at any stage, new information emerges that indicates the harm threshold may be met, internal procedures will be paused and advice sought from the LADO. Consideration or review of suspension/alternative arrangements will also be undertaken where appropriate.

Employees
Where the concern or allegations relates to an employee, the Disciplinary Procedure will be applied where misconduct is suspected. The outcome will be determined and communicated to the employee, and recorded in the child protection records, as set out in Section 8.

Volunteers
Where a concern or allegation relates to a volunteer, the case manager will arrange for an investigation to be carried out. This will involve gathering relevant information and evidence, including speaking to the volunteers. At the end of the investigation, the outcome will be determined and communicated to the volunteer, and recorded in the child protection records, as set out in Section 8. Having reached a determination, the case manager will decide whether it is appropriate to allow the individual to continue to volunteer, and if so whether there are any conditions or considerations, such as additional training or supervision.

Third party workers, including agency supply teachers, trainee teachers and other workers
In the case of workers who are not employees of the school, including agency supply staff and trainee teachers, the employer, agency or teacher-training provider is responsible for applying its own disciplinary or internal procedures. The school remains responsible for gathering the facts and managing the safeguarding process and will fully co-operate with the third-party organisation and relevant safeguarding agencies. Subject to the outcome, the school may decide to cease to engage or host the individual.

Governors
Where a concern or allegation relates to a governor, the Complaints against Governors Procedure will be applied. The outcome will be determined and communicated to the governor, and recorded in the child protection records, as set out in Section 8.

8. Conclusion of safeguarding cases

Investigations into allegations will be completed and the outcome recorded, regardless of whether the person involved resigns or otherwise ceases their engagement at the school prior to the conclusion of the investigation or criminal or internal procedures. The individual will be invited to participate in internal procedures at all stages, but they will proceed even if the person declines to co-operate.

Settlement or compromise agreements will not be used to avoid completing the safeguarding process, to prevent a DBS referral where the legal criteria are met, to prevent consideration of a TRA referral, or to prevent the provision of an appropriate factual reference. They will not be used where there is an allegation that the individual poses a risk to children.

The following definitions will be used when determining and recording the outcome of investigations:

- Substantiated: there is sufficient evidence to prove the allegation;
- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject to the allegation;
- False: there is sufficient evidence to disprove the allegation;
- Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence;
- Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.

Records and References

Allegations which are found to be malicious or false will be removed from personnel records unless the individual gives consent for the information to be retained. For all other allegations (substantiated, unfounded and unsubstantiated), a clear and comprehensive summary of the allegation, details of how it was followed up and resolved, a note of actions taken, decisions reached and the outcome will be retained on the personnel file of the person concerned. A copy will be provided to the individual where this is agreed by Children's Social Care or the Police, and the record will state whether the information will be referred to in any future reference.

When providing references, the school will include factual information about substantiated safeguarding allegations that meet the harm threshold. Allegations found to be false, unfounded, unsubstantiated or malicious, including repeated concerns where all have those outcomes, will not be included. Low-level concerns will not be included unless they relate to matters that would normally be included in a reference, for example misconduct or poor performance.

All records will be retained at least until the person concerned has reached normal pension age or for a period of 10 years from the date of the allegation, if that is longer, in line with KCSIE. Full details are set out in the school's records retention schedule and current data protection requirements.

Referral to the Disclosure and Barring Service

Where the DBS referral criteria are met, a referral will be made as soon as possible and will not be delayed until the conclusion of other internal processes if the individual has been removed from regulated activity (or would have been removed had they not left or ceased to volunteer). In the case of a teacher, where the school dismisses or ceases to use their services because of serious misconduct or might have done so had they not left first, the school will also consider whether a referral to the Teaching Regulation Agency (TRA) is required.

Notifying parents

In line with Keeping Children Safe in Education 2026, parents or carers of the child or children involved should be formally told about the allegation as soon as possible, subject to consultation with the LADO and, where involved, Children's Social Care and/or the Police about what information can be disclosed.

They will be kept informed about the progress of the case only in relation to their child; information about the staff members or other adults will not be shared beyond what is permitted. Parents/carers will also be reminded of the requirement to maintain confidentiality and the statutory reporting restrictions where these apply.

Return to work

Where it is decided on the conclusion of a case that a person who has been suspended or placed on alternate duties can return to work, the case manager will consider how best to facilitate this. Consideration will be given, in consultation with the person, about what help and support should be

given. This may include a phased return or a short-term mentor for support and consideration of how the person's contact with the child or children to whom the allegation related can best be managed if they are still a pupil or student.

Reflections and further action
If an allegation is determined to be false or malicious, the school will liaise with relevant agencies to determine what, if any, further interventions or action may be necessary in respect of the accuser. In other cases, the school will reflect on its practice and procedures to determine whether there are any improvements to be made.

9. Support for those involved

The school will act to manage and minimise the stress inherent in the allegations process.

- Allegations will be dealt with expeditiously, fairly and thoroughly;
- Individuals will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, and updates on progress, unless there is an objection by the children's social care services or the police;
- Employees should contact their trade union representative and have the right of representation by a trade union representative or work colleague at any formal disciplinary meeting.
- Other individuals should seek appropriate support e.g. citizens advice, their professional body;
- Individuals will be given access to welfare counselling or medical advice where this is appropriate and available. In case of third-party workers, this will be the responsibility of their employer; and
- All individuals subject to alternate work arrangement/suspension will be given a named contact to provide relevant updates regarding events in the workplace and to act as a conduit for information/communication as appropriate. In the case of third-party workers, this will be the responsibility of their employer.

Where a member of staff is suspended, the school will not prevent normal social contact with work colleagues and friends unless there is evidence that such contact may prejudice the gathering of evidence.

10. Confidentiality

It is essential that strict confidentiality is maintained at all times, by all parties.
It is a statutory requirement for schools, and where applicable their staff, to share relevant information in relation to safeguarding matters. The school will share information with the LADO, Police, Children's Social Care, the DBS, the Teaching Regulation Agency, employers'/agencies/training providers and parents/carers where required and lawful. From 30 September 2026, the school will also act in accordance with the Statutory Information Sharing Duty under section 16LA of the Children Act 2004 where information is relevant to safeguarding or promoting the welfare of a child. Information sharing will comply with applicable data protection laws, including the UK GDPR, Data Protection Act 2018 and Data (Use and Access) Act 2025, as well as the Human Rights Act 1998. Information will be relevant, necessary and proportionate, shared securely and recorded appropriately.

The Education Act 2011 amended the Education Act 2002 to introduce reporting restrictions preventing the publication of 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 restrictions apply until the accused person is charged with a relevant offence, or until the Secretary of State publishes information about an investigation or decision in a disciplinary case arising from the allegation. The restrictions may cease to apply if the individual waives their anonymity in accordance with the legislation or a court lifts the restrictions.