

# The Willows School Academy Trust



## Dealing with Allegations of Abuse Against Staff Policy

Reviewed: April 2026

Next Review: April 2027

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## *Introduction*

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The Willows School Academy Trust is committed to safeguarding and promoting the welfare of children and expects all staff, volunteers, and contractors to share this commitment.

We recognise that:

- Children have a right to be safe and protected from harm
- All allegations and concerns about adults who work with children must be taken seriously
- Staff members have a right to a fair process
- Some allegations may be false, malicious, or unfounded
- All allegations must be dealt with quickly, fairly, and consistently

This policy sets out the procedures we will follow when an allegation is made that a member of staff, supply staff, volunteer, or contractor has:

- 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 they may 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 policy also covers how we will manage concerns that do not meet the harm threshold (low-level concerns).

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## *Scope*

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This policy applies to all allegations and concerns about:

- All staff employed by The Willows School Academy Trust
- Supply staff and agency workers
- Volunteers
- Contractors
- Governors (in their capacity working with children)
- Any other adults who work with children at our school

This policy applies whether the alleged abuse or inappropriate behaviour took place:

- On school premises
- During school activities
- Outside of school (if relevant to their suitability to work with children)
- Online

**This policy does NOT apply to:**

- Complaints about staff that do not involve safeguarding concerns (these are dealt with under the School's Complaints Policy)
- Concerns about staff performance or capability (these are dealt with under relevant HR policies)
- Allegations about pupils (these are dealt with under the School's Child Protection and Safeguarding Policy and Behaviour Policy)

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## *Legislative Framework*

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This policy is based on the following legislation and statutory guidance:

### **Statutory Guidance:**

- **Keeping Children Safe in Education (KCSIE) 2025** - Part 4: Allegations that meet the harm threshold, and Section 2: Concerns that do not meet the harm threshold
- **Working Together to Safeguard Children 2023**

### **Legislation:**

- Children Act 1989
- Children Act 2004
- Education Act 2002 (sections 157 and 175)
- Education (Independent School Standards) Regulations 2014
- Safeguarding Vulnerable Groups Act 2006
- Sexual Offences Act 2003
- Data Protection Act 2018 and UK GDPR

### **Other Relevant Guidance:**

- DfE guidance on safer recruitment
- Guidance for Safer Working Practice for Adults who Work with Children and Young People

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## *Links to Other Policies*

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This policy must be read in conjunction with:

- **Child Protection and Safeguarding Policy**
- **Staff Code of Conduct** - sets out the standards of behaviour expected of staff
- **Complaints Policy** - explains the difference between complaints and safeguarding allegations
- **Whistleblowing Policy**
- **Behaviour Policy**
- **Online Safety Policy**
- **Safer Recruitment Policy**

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## *Types of Concerns and Allegations*

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### **❖ Allegations that Meet the Harm Threshold**

An allegation meets the harm threshold when it is alleged that a person who works with children has:

- a) Behaved in a way that has harmed a child, or may have harmed a child**
- b) Possibly committed a criminal offence against or related to a child**
- c) Behaved towards a child or children in a way that indicates they may pose a risk of harm to children**
- d) Behaved or may have behaved in a way that indicates they may not be suitable to work with children**

This includes behaviour outside of work that may indicate unsuitability, such as:

- Conviction or caution for a relevant offence
- Behaviour that would be considered grooming
- Inappropriate use of social media
- Domestic abuse (transferable risk)
- Substance misuse that impacts on their suitability

**These allegations will be managed in accordance with Part 4 of KCSIE and will involve the Local Authority Designated Officer (LADO).**

#### ❖ **Low-Level Concerns**

A low-level concern is 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 may have acted in a way that:

- Is inconsistent with the Staff Code of Conduct, including inappropriate conduct outside of work; **AND**
- Does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO

**The term 'low-level' does not mean that the concern is insignificant.**

#### **Examples of low-level concerns include:**

- Being over-friendly with children
- Having favourites
- Taking photographs of children on a personal mobile phone (contrary to school policy)
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door (without a valid reason)
- Using inappropriate language in front of children
- Humiliating children
- Discussing personal or sexual relationships with children
- Making sexual remarks to a child, even in jest
- Excessive one-to-one attention beyond the requirements of their role
- Inappropriate use of social media (e.g., contacting children)

#### **Low-level concerns are NOT:**

- Complaints about staff (these go through the Complaints Policy)
- Concerns about teaching quality or performance (these go through performance management)
- Safeguarding allegations that meet the harm threshold (these go through the LADO process)

**Low-level concerns will be managed in accordance with KCSIE Section 2 and will be dealt with by the school (not the LADO).**

#### **Staff Self-Referral**

Staff should self-refer if they find themselves in a situation which could be misinterpreted, might appear compromising to others, or on reflection they believe they have behaved in a way that falls below expected professional standards.

Self-referral demonstrates professionalism and will be viewed positively.

#### ❖ **Complaints (NOT Safeguarding Allegations)**

Complaints that do NOT involve safeguarding concerns should be dealt with under the School's Complaints Policy.

If you are unsure whether a concern is a safeguarding allegation, a low-level concern, or a complaint, contact the Headteacher or Designated Safeguarding Lead (DSL) for advice.

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### *Reporting and Initial Response*

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#### ❖ **Who Can Report an Allegation**

Allegations or concerns can be reported by:

- Pupils

- Parents/carers
- Staff members
- Volunteers
- Governors
- Members of the public
- The staff member themselves (self-referral)

**All staff have a duty to report allegations or concerns about colleagues.**

Failure to report a safeguarding allegation or low-level concern may be considered a breach of the Staff Code of Conduct and could result in formal action.

❖ **How to Report an Allegation**

Allegations that meet the harm threshold:

**If the allegation is about any member of staff (except the Headteacher):**

- Report immediately to: Mr M. Shaw (Headteacher)
- Contact: Via the school office, marked "Private and Confidential - Safeguarding Allegation"

**If the allegation is about the Headteacher:**

- Report immediately to: B. Grant (Chair of Governors)
- Contact: Via the school office, marked "Private and Confidential - Safeguarding Allegation"

**If the allegation is about a Governor:**

- Report to: The Headteacher (who will inform the Chair of Governors)

**If the allegation is about both the Headteacher and Chair of Governors:**

- Report to: **The Clerk to Governors** (Mrs N. Palmer) who will escalate appropriately

Low-level concerns:

**All low-level concerns should be reported to:**

- Mr M.Shaw (Headteacher) or
- The Designated Safeguarding Lead (DSL)

**Parents can also contact the LADO directly:**

Parents do not have to report safeguarding allegations to the school first. They can contact the LADO directly if they have a safeguarding allegation about a member of staff.

**LADO contact details:**

Hannah Ives, Local Authority Designated Officer (LADO)

Email: [hives@hillingdon.gov.uk](mailto:hives@hillingdon.gov.uk)

❖ **Initial Response and Consideration**

For allegations that meet the harm threshold:

**Step 1: Immediate Action (same day)**

The Headteacher (or Chair of Governors if the allegation is about the Headteacher) will:

1. Contact the LADO immediately (on the same day the allegation is received)
2. Not investigate the allegation at this stage
3. Provide the LADO with:
  - Full details of the allegation
  - The circumstances in which it was made
  - Information about the staff member
  - Information about the child/children involved

**Step 2: Initial Discussion with LADO**

The LADO will discuss with the Headteacher:

- Whether the allegation meets the harm threshold

- Whether there is evidence that the allegation is false or unfounded
- What immediate action is needed to safeguard children
- Whether a strategy discussion/meeting is required
- Whether the police need to be informed
- Whether children's social care services need to be involved

### Step 3: Possible Outcomes of Initial Discussion

The LADO and Headteacher will determine one of the following:

#### a) Strategy discussion/meeting required

- If there is cause to suspect that a child is suffering or likely to suffer significant harm, **OR**
- If a criminal offence may have been committed

#### b) School-led investigation

- If the allegation does not require police or children's social care involvement but requires investigation

#### c) No further action

- If the allegation is demonstrably false or unfounded

For low-level concerns:

The Headteacher (or DSL) will:

1. Assess the concern to determine if it is:
  - A low-level concern (dealt with by the school)
  - An allegation that meets the harm threshold (refer to LADO)
  - A complaint (refer to Complaints Policy)
2. Speak to the staff member about the concern (unless this would compromise an investigation)
3. Decide on appropriate action, which may include:
  - Informal discussion and guidance
  - Additional training or support
  - Closer monitoring
  - Formal action if the concern is serious or part of a pattern
4. Record the concern

### ❖ Strategy Discussion/Meeting

If the LADO determines that a strategy discussion/meeting is required, this will be convened **immediately or at least within one working day** of the allegation being reported to the LADO.

### After the Strategy Discussion/Meeting:

The Headteacher will:

- Inform the staff member of the allegation (unless advised otherwise by police/LADO)
- Inform the child and their parents/carers of the likely course of action
- Inform the Chair of Governors
- Appoint a case manager (usually the Headteacher, or Chair of Governors if allegation is about Headteacher)

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### *Types of Investigation*

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Depending on the nature of the allegation, there may be up to three types of investigation running in parallel:

#### a) Police Investigation

If the allegation may constitute a criminal offence, the police will investigate.

The school investigation may be **paused** until the police investigation is complete, unless the police agree that it can proceed in parallel.

## b) Children's Social Care Investigation (Section 47 Enquiry)

If there is cause to suspect that a child is suffering or likely to suffer significant harm, children's social care will conduct a Section 47 enquiry under the Children Act 1989.

## c) School Investigation

If the allegation does not require police or children's social care involvement, **OR** after police/social care investigations are complete, the school will conduct its own investigation.

The school investigation will be conducted in accordance with relevant school policies and procedures.

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### *Timescales*

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KCSIE 2025 states that all allegations should be resolved as quickly as possible, consistent with a fair and thorough investigation.

#### **Target Timescales:**

Stage	Timescale
Contact LADO	Same day allegation is received
Strategy discussion/meeting	Immediately or within 1 working day
Police investigation review	Within 4 weeks, then fortnightly/monthly
School investigation (if no police/social care involvement)	Completed within 10 working days (where possible)
Decision on further action	Within 2 working days of receiving investigation report
Disciplinary hearing (if required)	Within 15 working days of decision
LADO review meetings	Fortnightly or monthly until case concluded

These are target timescales. Complex cases may take longer, but the LADO will monitor progress to ensure cases are resolved as quickly as possible.

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### *Suspension and Risk Management*

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#### ❖ **Suspension**

**Suspension is a neutral act, not a disciplinary sanction.**

Suspension should **NOT** be an automatic response when an allegation is reported.

Suspension should only be considered when:

- There is cause to suspect a child or other children at the school are at risk of significant harm, **OR**
- The allegation warrants investigation by the police, **OR**
- The allegation is so serious that it might be grounds for dismissal

**Even in these circumstances, suspension is not automatic.**

#### **Decision-Making:**

The decision to suspend is made by the Headteacher (or Chair of Governors if the allegation is about the Headteacher) in consultation with the LADO.

**The police or children's social care cannot require the school to suspend a staff member, but their advice should be given appropriate weight.**

Before Deciding to Suspend:

The Headteacher will:

- Consider whether the result that would be achieved by suspension could be obtained by alternative arrangements
- Consider the potential professional reputational damage to the staff member
- Conduct a risk assessment

If Suspension is Necessary:

- The staff member will be informed of the decision and the reasons
- Written confirmation will be sent within 1 working day
- The staff member will be told who their named contact is
- The suspension will be reviewed regularly

#### ❖ **Alternatives to Suspension**

The school will always consider whether alternatives to suspension are appropriate, such as:

- **Redeployment** so the staff member does not have direct contact with the child concerned
- **Providing an assistant** to be present when the staff member has contact with children
- **Temporary transfer** to other duties
- **Working from home** (if appropriate to their role)
- **Paid leave** while investigation takes place

#### ❖ **Risk Assessment**

A risk assessment must be carried out for each individual case to determine whether the staff member should be suspended or alternative arrangements made.

The risk assessment will take into account:

- The nature and seriousness of the allegation
- The vulnerability of the child/children involved
- The staff member's role and level of contact with children
- The potential risk to other children
- The potential for the staff member to interfere with the investigation
- Background information about the staff member (e.g., previous concerns, disciplinary history)
- The outcome of the strategy discussion/meeting

The risk assessment must be recorded in writing and kept on file.

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### *Outcomes*

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At the conclusion of the investigation, the allegation will be categorised as one of the following five outcomes:

1. **Substantiated**: There is sufficient evidence to prove the allegation.
2. **Malicious**: There is sufficient evidence to disprove the allegation **AND** there is evidence that it was deliberately invented or malicious.
3. **False**: There is sufficient evidence to disprove the allegation.

4. Unsubstantiated: There is insufficient evidence to either prove or disprove the allegation. The term does not imply guilt or innocence.

5. Unfounded: There is no evidence or proper basis which supports the allegation being made.

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### *Record Keeping*

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For allegations found to be substantiated, unsubstantiated, or unfounded:

A clear and comprehensive summary must be kept on the staff member's personnel file, including:

- Details of the allegation
- How the allegation was followed up and resolved
- Any action taken, decisions reached, and the outcome
- A declaration on whether the information will be referred to in any future reference
- A copy provided to the staff member (where agreed by police/children's social care)

**These records must be kept until the staff member reaches normal pension age, or for 10 years from the date of the allegation if that is longer.**

For allegations found to be malicious or false:

All information about the allegation should be removed from the staff member's personnel records, unless the staff member gives consent for it to be retained.

For low-level concerns:

Low-level concerns will be recorded in writing, including:

- Details of the concern
- The context in which the concern arose
- Action taken

**Records will be kept securely and confidentially until the staff member leaves employment and for 6 years after this date. Records will be held in accordance with Data Protection and GDPR regulations.**

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### *Referrals to DBS and TRA*

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#### ❖ **Referral to the Disclosure and Barring Service (DBS)**

The Headteacher must refer a staff member to the DBS if:

- The school has dismissed the staff member (or would have dismissed them if they had not resigned) because they harmed, or posed a risk of harm to, a child, AND
- The DBS referral criteria are met

The referral must be made as soon as possible after the resignation or removal of the individual, and within one month at the latest.

The Headteacher will consult with the LADO before making a DBS referral.

#### ❖ **Referral to the Teaching Regulation Agency (TRA)**

The Headteacher must consider whether to refer a teacher to the TRA if:

- A teacher has been dismissed (or would have been dismissed if they had not resigned) for serious misconduct, AND
- The misconduct is of a kind that is so serious that it calls into question their suitability to continue to be a teacher
- Conviction for a relevant offence

**The referral must be made within 14 days.**

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## *Support*

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### ❖ **Supporting the Staff Member**

The school has a duty of care to all staff members.

Support for staff facing allegations includes:

- Informing them of the allegation as soon as possible (unless advised otherwise by police/LADO)
- Explaining the likely course of action
- Advising them to contact their trade union representative or a colleague for support
- Appointing a named contact to keep them informed of the progress of the case
- Access to welfare counselling or medical advice (e.g., Occupational Health)
- Maintaining social contact with colleagues (unless this would prejudice the investigation)
- Keeping them informed of work-related issues if they are suspended

Particular care for suspended staff:

- They must be kept informed of both the progress of their case and current work-related issues
- Social contact with colleagues and friends must not be prevented unless there is evidence that such contact is likely to be prejudicial to the investigation
- A named contact will provide regular updates

### ❖ **Supporting the Child and Family**

Support for the child:

- The child should be reassured that they have done the right thing in reporting the concern
- The child should be kept informed (in an age-appropriate way) of the progress of the investigation
- The child should have access to appropriate support (e.g., school counsellor, pastoral lead)
- If the child has suffered significant harm, children's social care will consider what support is needed

Support for parents/carers:

- Parents/carers should be told about the allegation as soon as possible (unless advised otherwise by police/LADO)
- Parents/carers should be kept informed of the progress of the case
- Parents/carers should be told the outcome (in confidence) where there is not a criminal prosecution

**The deliberations of any formal process cannot normally be disclosed, but parents/carers should be told the outcome.**

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## *Confidentiality*

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Confidentiality must be maintained throughout the process to:

- Protect the welfare of the child
- Protect the staff member from unfounded allegations
- Ensure a fair investigation

Who will be informed:

Information will only be shared on a 'need to know' basis with:

- The staff member who is the subject of the allegation
- The child and their parents/carers
- The person who made the allegation (if different from the child/parents)
- The Headteacher/Chair of Governors
- The LADO
- Police and/or children's social care (if involved)

- HR (where appropriate)
- Those conducting the investigation

Who will NOT be informed:

- Other staff members (unless there is a legitimate need to know)
- Other parents
- The media (unless a statement is agreed with the LADO)

Media Enquiries:

All enquiries from the media should be directed to the Headteacher.

No information should be given to the media without consulting the LADO.

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### *Special Circumstances*

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#### ❖ Resignations and Settlement Agreements

**The fact that a staff member resigns or ceases to provide their services must NOT prevent an allegation being followed up.**

Key Principles:

- Every effort must be made to reach a conclusion in all cases, including where the staff member refuses to cooperate
- The staff member should be given a full opportunity to answer the allegation
- The process of recording the allegation, gathering evidence, and reaching a conclusion should continue even if the staff member resigns
- It may be difficult to reach a conclusion if the staff member does not cooperate, but it is important to reach and record a conclusion wherever possible

#### **Settlement Agreements:**

Settlement agreements (where a person agrees to resign if the school agrees not to pursue formal action) must NOT be used in cases involving safeguarding allegations.

Such agreements:

- Will not prevent a police investigation
- Cannot override the statutory duty to refer to the DBS or TRA where circumstances require it

**No settlement agreement can be entered into without the authorisation of the Headteacher and Chair of Governors.**

#### ❖ False or Malicious Allegations

If an allegation is found to be false or malicious:

##### **If made by a pupil:**

- Consider whether the pupil needs support or may have been abused by someone else
- If the allegation was deliberately invented or malicious, consider action under the Behaviour Policy
- Provide support to the staff member

##### **If made by a staff member:**

- Consider action under relevant school policies
- The police may consider taking action against the individual

##### **If made by a parent or member of the public:**

- The police may consider taking action against the individual
- Consider whether the person should be banned from the school premises (see the Complaints Policy for guidance on dealing with persistent or vexatious complaints)

If an allegation is found to be unfounded:

- Consider whether the person who made the allegation needs support or may have misunderstood the situation
- Provide support to the staff member

#### ❖ **Learning Lessons**

At the conclusion of every case (whether substantiated or not), the Headteacher and LADO will review the case to identify lessons learned.

This review will consider:

- Whether there are any improvements needed to the school's policies or procedures
- Whether there are any training needs for staff
- Whether there are any improvements needed to safeguarding practices
- Whether there are any wider issues that need to be addressed

**The outcome of this review will be reported to the Governing Body.**

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### *Policy Review*

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This policy is a public document and can be accessed by contacting the school office. It is reviewed annually, or sooner if required, by the governing body to ensure it remains effective, up to date, and compliant with current legislation and statutory guidance.

**Signed:** M. Shaw  
Headteacher

B. Grant  
Chair of Governors

**Date:** April 2026