



Allegations of abuse against staff in education settings

These procedures apply where an adult who works (paid or unpaid) with children or young people in an education setting 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 he or she would pose a risk of harm to children

Employers have a duty of care to employees and should:

- Act to minimise the stress in this process
- Inform employees as soon as possible unless the police object
- Provide appropriate support
- Appoint a named person to keep the employee informed of the progress of the case
- Advise about contacting a trade union representative
- Give access to welfare counselling or medical advice if provided by the employer
- Maintain confidentiality
- Advise all parties about reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school or college

All allegations should be:

- Dealt with by the Head Teacher, Principal, Chair of Governors or Management Committee, or Proprietor (i.e. the Case Manager)
- Responded to quickly, fairly & consistently, protecting the child/young person, whilst supporting the person subject to the allegation
- Systematically recorded by the LADO & Case Manager, detailing all decisions & actions taken

The Case Manager should inform the LADO immediately of all allegations that may meet the criteria so they can consider nature, content and context and agree a course of action (see process checklist below).

Considerations:

- Apply procedures with common sense & judgement
- If the allegation is about physical contact, the strategy discussion should consider whether '[reasonable force](#)' has been used
- All options to avoid suspension should be considered prior to taking that step
- If investigation by the police or children's social care is unnecessary, the Senior Manager should consider further options with the LADO
- Resignation/ceasing service provision should not prevent an allegation being followed up
- 'Compromise agreements' must never be used
- [Referral to the Disclosure & Barring Service](#) (DBS) must be made if the criteria are met
- Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references (or in employee file of malicious)
- A phased return and/or the provision of a mentor may be appropriate if staff have been away from work during investigation

At the end of a case where the allegation is substantiated, the LADO should have a "learning the lessons" review with the head teacher/principal etc. to identify any improvements that are required.

Local Authority Designated Officer (LADO):
tel. **2734850**

To refer, download the [LADO referral form](#), complete & **securely** email to lado@sheffield.gcsx.gov.uk

Do not investigate this matter yourself, get advice and support from the LADO

Definitions:

- **Substantiated:** sufficient evidence to prove the allegation
- **Malicious:** sufficient evidence to disprove the allegation & a deliberate act to deceive
- **False:** sufficient evidence to disprove the allegation
- **Unsubstantiated:** insufficient evidence to prove or disprove the allegation, therefore not implying guilt or innocence



Process checklist:

➤ Action required to secure the immediate safety or well-being of child/young person:

- Does the child/young person need medical attention, to be removed from the scene of an incident, a member of staff to look after them until their mother, father or carer arrives?
- Report incident/concern to Head Teacher, Principal, Chair of Governors or Head of Service immediately

➤ Action required from Head Teacher, Principal, Chair of Governors or Head of Service:

- Do the **police** need to be involved immediately, e.g. if there is an immediate risk to children or if an offence has been committed?
- Record dates/times of alleged incidents, details of those involved and any potential witnesses
- Gather & secure already existing evidence, but **do not take statements**, this is a police role
- Listen to the child/young person, encourage them to speak but do not lead or probe
- Verify that the alleged event(s) could have happened: was the member of staff on duty and present when the alleged incident took place? Are there witnesses?
- **Contact the LADO immediately** if advice is needed, otherwise email the information via [LADO referral form](#) using **secure email only**

The LADO will determine the nature and scope of the investigation and consultation with the police/social care; responsibility for employment matters rests with employer but will form part of the advice given.

- After consultation with the LADO, inform the accused person, providing them with as much information as possible, unless the police and Children's Social Care are involved and need to agree what information to disclose
- Consider whether suspension is needed or if an alternative arrangement can be made until the allegation is resolved
- Inform mothers, fathers or carers as soon as possible unless police/social care need to be involved or a strategy discussion is required
- Contact your Human Resources Service, especially if suspension or other action is being considered pending an investigation
- Decide what, if anything, you can tell other staff members, considering confidentiality, the views of the member of staff and their representative
- No details should be discussed with other people - staff must observe confidentiality
- All parties should be advised about reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school or college

Useful web links/resources:

- [Keeping Children Safe in Education, DfE 2016](#)
- [Working Together to Safeguard Children, DfE 2015](#)
- [Sheffield Safeguarding Children Board Safeguarding & Child Protection Procedures](#)

Related policies & procedures on the [Safeguarding Sheffield Children website \(schools section\)](#):

- **'Abuse of Trust'; 'Behaviour guidelines for staff and volunteers'; 'Governing Body Safeguarding Role';**