

Statement of the Procedures for Managing Allegations against Staff – Autumn 2021

At CONONLEY Primary School, we follow the procedures in Appendix A of our Child Protection Policy (September 2021), the NYSCP Practice Guidance (see link below) and the DfE guidance Keeping Children Safe in Education 2021 Part 4 (see link below).

Where an allegation is made against any person working in or on behalf of the school, or any other person who works with children, (including supply staff, volunteers and contractors) 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 or

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.

Allegations management in the school will be undertaken by the Headteacher or principal or (where the Headteacher or principal is the subject of an allegation) the chair of governors or the chair of the management committee or proprietor of an independent school (the 'case manager'). Where the Headteacher is the sole proprietor, or where there is a conflict of interest in reporting to the Headteacher, this should be reported directly to the LADO.

The school has procedures in place to make a referral to the Disclosure and Barring Service (DBS) if a person in regulated activity has been dismissed or removed due to safeguarding concerns or would have been had they not resigned. **This is a legal duty and failure to refer when the criteria are met is a criminal offence.**

Where the school dismisses or ceases to use the services of a teacher because of serious misconduct, or might have dismissed them or ceased to use their services had they not left first, they **must** consider whether to refer the case to the Secretary of State (via the Teaching Regulation Agency).

Supply teachers

Where the school is not the employer of an individual they still have responsibility to ensure allegations are dealt with appropriately and that they liaise with the relevant parties (this includes supply teachers and volunteers).



Whilst schools are not the employer of supply teachers, they should ensure allegations are dealt with properly. In no circumstances should a school decide to cease to use a supply teacher due to safeguarding concerns without finding out the facts and liaising with the LADO to determine a suitable outcome. Agencies should be fully involved and fully cooperate in any enquiries, but the school will usually take the lead.

School will always follow: The [NYSCP practice guidance](#) and [DfE Guidance Keeping Children Safe in Education](#) 2021 part 4:

School will immediately contact the Duty Local Authority Designated Officer (LADO) on **01609 533080** and then, where appropriate, submit a [LADO referral form](#) within one working day:

Where a child may have suffered significant harm the school will also submit a referral to Children's Social Care.

Detailed and accurate records will be made to include decisions, actions taken, and reasons for these. All records will be retained securely in the Confidential Files on Scholarpack.

Initial Action

The person who has received an allegation or witnessed an event **MUST** immediately inform the Headteacher or principal, (the senior manager,) make a record and have regard to the school's whistleblowing procedure

In the event that an allegation is made against the Headteacher or Principal the matter will be reported to the alternative 'senior manager' as described above

- In the event of an allegation being made against the Headteacher or Principal, where they are also the sole proprietor of an independent school, allegations will be reported directly to the LADO

The senior manager will take steps, where necessary, to secure the immediate safety of children and any urgent medical needs

The member of staff will not be approached at this stage unless it is necessary to address the **immediate** safety of children

The senior manager may need to clarify any information regarding the allegation, however no person will be formally interviewed or asked to write a formal statement at this stage

The senior manager will consult with the Duty LADO (**01609 533080**) in order to determine if it is appropriate for the allegation to be dealt with by school or if there needs to be a referral to social care and/or the police for investigation

Consideration will be given throughout to the support and information needs of pupils, parents and staff



Where an Early Years' provider is registered with OfSTED, the provider must inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere). The provider must also notify Ofsted of the action taken in respect of the allegations. These notifications must be made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made. Please also see additional requirements in the EYFS 2021.

Schools should have policies and processes to deal with lower level concerns that do not meet the harm threshold, to record concerns and take appropriate action to safeguard children. KCSIE Part four paras 406 – 427. At Cononley Primary School, lower level concerns should be reported to the DSL who will record the concerns in the confidential Low Level Concerns folder on Sharepoint.