Himbleton CE Primary School and Nursery

Nurture, Nature, Knowledge:

Enabling inquisitive thinkers and inspired learners with kind hearts.

"Faith, Hope, Love…the greatest of these is Love." (Corinthians 13:13)

"So in everything, do unto others what you would have them do to you." (Matthew 7:12)

"Wise men and women are always learning, always listening for fresh insights." (Proverbs 18:15)

Allegations of Abuse Against Staff Policy 2026 – 2027

September 2026

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Statement of Intent

At Himbleton CE Primary School and Nursery we recognise our moral and statutory responsibility to safeguard and promote the welfare of all pupils by creating a safe and prosperous environment for pupils. In addition, our staff are expected to adhere to high standards of behaviour when it comes to professional conduct regarding pupils. The school has clear professional boundaries which all staff are made aware of and will adhere to, including those set out in the Code of Conduct for staff. We recognise that any possibility that a member of staff may have hurt a pupil must be investigated thoroughly, but in a way that does not prejudice either the pupil or the member of staff. Any investigation of an allegation of abuse against a member of staff must follow the objective and professional standards and routines described here.

This policy should be read alongside Children's Services Human Resources 'Guidance for Schools, Academies, Educational Establishments and support Services Managers – Allegations of Abuse against Teachers and other Staff – September 2015.'

Legal Framework

This policy has due regard to legislation and statutory guidance, including, but not limited to, the following:

- The Children Act 1989
- The Education Act 2002
- The Education (Independent School Standards) Regulations 2015
- The Children Act 2004
- DfE (2026) 'Keeping Children Safe in Education'
- DfE (2026) 'Working Together to Safeguard Children'

This policy should be followed in conjunction with the following school policies and procedures:

- Behaviour Policy and Behaviour Principles
- Low Level Concerns Policy
- Whistleblowing Policy
- Himbleton CE Primary School and Nursery Code of Conduct

Initial Allegation Made to the School

Any allegation of abuse, whereby a member of staff is accused of abusing a pupil, should be reported to the Headteacher. Should the initial allegation first be made to any other member of staff, then that member of staff will either request the person raising the allegation to report it to the Headteacher.

Should the allegation be made against the Headteacher, this will be brought to the attention of the Chair of Governors immediately.

Should the allegation meet any of the following criteria then the Headteacher will report the allegation to the LA designated officer (LADO) the same day that the allegation is received.

A teacher or member of staff (including a volunteer) in a school, FE college or other education establishment that provides education for children under 18 years of age has:

- 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.

The last bullet point includes behaviour that may have happened outside of school or college, that might make an individual unsuitable to work with children, this is known as transferable risk.

Initial Consideration

The Headteacher will discuss the matter with the LADO within one working day and provide any further details of the allegation and the circumstances in which it was made. The Headteacher will not investigate the allegation at this stage. The discussion will also consider whether there is evidence or information that establishes that the allegation is false or unfounded.

If the allegation is not patently false and there is cause to suspect that a child is suffering, or is likely to suffer, significant harm, the LADO will immediately refer it to LA children's social care and ask for a strategy

discussion, in accordance with 'Working Together to Safeguard Children', to be convened straight away. In those circumstances, the strategy discussion will include the LADO and the Headteacher.

If there is not cause to suspect that 'significant harm' is an issue, but a criminal offence might have been committed, the LADO will immediately inform the police and convene a similar discussion to decide whether a police investigation is needed. That discussion will also involve the school and any other agencies involved with the child.

Action Following Initial Consideration

Where the initial consideration decides that the allegation does not involve a possible criminal offence, it will be for the Headteacher to deal with. In such cases, if the nature of the allegation does not require formal disciplinary action, the Headteacher will institute appropriate action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing will be held within 15 working days.

Where further investigation is required, the Headteacher will discuss who will undertake that with the LADO. In Worcestershire the LADOs work on a rota basis, led and coordinated by Andrew Tombs, and can be contacted on 01905 846221. Information on the LADO Service and making a referral, including the referral form can be found at:http://www.worcestershire.gov.uk/info/20559/refer_to_childrens_social_care/1659/are_you_worried_about_an_adult_who_works_with_children
(Emergency Duty Team Out of Hours Service: Mon-Thurs after 5pm. Friday after 4:30pm and all weekend including bank holidays – EDT Contact Telephone: 01905 768020)

The investigating officer aims to provide a report to the Headteacher within 10 working days.
On receipt of the report of the investigation, the Headteacher and Chair of Governors will consult the LADO and decide whether a disciplinary hearing is needed within two working days. If a hearing is needed, it will be held within 15 working days.

In any case in which children's social care has undertaken enquiries to determine whether the child or children need protection, the Headteacher and Chair of Governors will take account of any relevant information obtained in the course of those enquiries when considering disciplinary action.
The LADO will continue to liaise with the school to monitor progress of the case and provide advice or support when required or requested.

Cases Where Crimes May Have Been Committed

If there is no cause to suspect that significant harm is an issue, but a criminal offence might have been committed, the LADO will immediately inform the police and convene a similar discussion to decide whether a police investigation is needed. That discussion will also involve the school.

Where the involvement of children's social work services is not required, as the pupil is not assessed to be at risk of significant harm, but a police investigation continues, the LADO will agree with the police, the school and any other agency involved with the child, the nature of the allegation and how this must be addressed.

This joint evaluation discussion must take place within one working day of the referral and must consider how to progress enquiries, e.g. a criminal process parallel with a disciplinary process or whether disciplinary action needs to be suspended until police enquiries/prosecution are completed. These investigations must

be reviewed by the police no later than four weeks after the joint evaluation discussion has concluded and, thereafter, at fortnightly or monthly intervals, depending on the complexity of the case.

If the police and/or the Crown Prosecution Service (CPS) decide not to charge the individual with an offence, decide to administer a caution, or the person is acquitted by a court, the police will pass all information they have which may be relevant to a disciplinary case to the school without delay. In those circumstances, the Headteacher will deal with the case in consultation with the LADO.

If the person is convicted of an offence, the police will also inform the employer straight away so that the appropriate action can be taken.

Allegations Which Are Likely to Necessitate an Immediate Referral to Child Protection

The following situations will require immediate referral to child protection:

- Where the pupil has suffered, is suffering, or is likely to suffer significant or serious harm
- Where the pupil alleges that a criminal offence has been committed
- Any allegation of a sexual nature

The Headteacher is aware that some other complaints may also be regarded as child protection issues and, therefore, each complaint will be carefully considered in consultation with the LADO before taking any action.

Where allegations of the above are referred to children's services, subsequent action will be in accordance with the local safeguarding arrangements and Children's Services HR procedures outlined in the Guidance for Managing Allegations.

Suspension

The possible risk of harm to children posed by an accused person needs to be effectively evaluated and managed in respect of the child(ren) involved in the allegations. In some cases, that will require the school to consider suspending the person until the case is resolved.

Suspension is not an automatic response when an allegation is reported. If the school is concerned about the welfare of other children in the community or the staff member's family, those concerns will be reported to the LADO or police, but suspension is highly unlikely to be justified based on such concerns alone.

Suspension will only be considered in a case where there is cause to suspect a child or other children at the school is or are at risk of harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal; however, a person will not be suspended automatically, or without careful thought being given to the particular circumstances of the case.

The school will consider carefully whether the circumstances of the case warrant a person being suspended from contact with children at the school until the allegation is resolved and may wish to seek advice from the personnel adviser.

The school will also consider whether the result that would be achieved by suspension could be obtained by alternative arrangements. For example, redeployment so that the individual does not have direct contact with the child concerned, or providing an assistant to be present when the individual has contact

with children. This allows time for an informed decision regarding the suspension and possibly reducing the initial impact of the allegation. This will, however, depend upon the nature of the allegation.

The school will consider the potential permanent professional reputational damage to members of staff that can result from suspension where an allegation is later found to be unsubstantiated, unfounded or maliciously intended.

Where it has been deemed appropriate to suspend the person, written confirmation will be dispatched within one working day, giving the reasons for the suspension. The person will be informed at that point who their named contact is within the school and provided with their contact details.

Children's social care services or the police cannot require the school to suspend a member of staff or a volunteer, although the school will give appropriate weight to their advice.

The power to suspend is vested in the Headteacher or the governing board.

In certain circumstances, where a strategy discussion or initial evaluation concludes that there should be enquiries by children's social care services and/or an investigation by the police, the LADO will canvass police and children's social care services for views about whether the accused member of staff needs to be suspended from contact with children to inform the school's consideration of suspension.

A risk assessment is carried out for each individual case to determine whether the member of staff should be suspended. The assessment takes into account the context of the allegation, background information in relation to the member of staff, and any outcome following the strategy meeting. It also takes into account whether a temporary transfer or period of paid leave is appropriate as an alternative to suspension. The assessment is recorded, and a copy kept on file.

Strategy Meeting

A strategy meeting will be convened within one working day of the referral being made and chaired by the child protection and review unit.

The LADO and all relevant personnel including, where appropriate, the Headteacher (or nominated representative) and Human Resources, will attend this meeting in order to share information and participate in the planning of any enquiries.

The strategy meeting will be conducted in accordance with local safeguarding arrangements.

The purpose of the strategy meeting is to:

- Consider the risk to the pupil directly involved and other pupils
- Share all relevant information about the person who is the subject of the allegation and about the alleged victim
- Determine the need for investigation and who is responsible for carrying it out
- Plan the investigation/enquiries and set timescales for tasks to be undertaken
- Consider whether any other children are affected by the allegations, e.g. the person's own children, grandchildren, or other children in the agency setting such as children placed with foster carers, childminders or youth clubs
- Ensure that the person who is the subject of the allegation is kept informed and supported
- Decide how regular information and support will be provided to the child and family and by whom

- Plan all interviews and agree who should undertake them so that there is no confusion between a criminal investigation (section 47 enquiry) and disciplinary processes
- Consider the need to inform relevant parties
- Jointly consider how to manage any media interest
- Consider whether the circumstances require the person who is subject to the allegation to be suspended from contact with pupils; this may change as the investigation progresses and should be reviewed regularly
- Consider the appropriate course of action if the allegation is against a governor, a temporary member of staff or a supply teacher

Attendance

An LA social worker, health practitioners and a policy representative will be involved in the strategy discussion. A representative from the school will also attend.

The member of staff who is the subject of the allegation will not be invited to attend the meeting; however, the strategy meeting will agree when and how the member of staff will be informed.
The minutes of the strategy meeting will be circulated by the chair of the meeting to relevant parties.

Communication Following the Strategy Meeting

The following people will be informed of the outcome of the strategy meeting:

- The pupil making the allegation and their parents will be informed of the likely course of action and that the matter is confidential and must not be discussed.
- The member of staff against whom the allegation has been made will be informed of the likely course of action – a record will be kept on the individual's personnel file.
- The Chair of Governors will be informed of the likely course of action.

Subsequent strategy meetings will be held fortnightly, or at a minimum monthly, to review progress.

Monitoring Progress

The LADO will regularly monitor the progress of cases, either by reviewing strategy meetings, or by liaising with the police and/or children's social work services colleagues or the school, as appropriate.
Reviews will be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

Referral to DBS

If, on conclusion of the case, the school ceases to use the person's services against whom the allegation was made, or the person ceases to provide his or her services, the school will consult the LADO about whether a referral to the DBS is required. If a referral is appropriate, the report will be made within one month.

Referrals to the Teaching Regulation Agency (TRA) are also made where appropriate.

Keeping Records

A clear and comprehensive record of any allegation is made even if police/disciplinary action is not taken or proven. This includes details of the allegation, how the allegation was followed up and resolved, and a note of any action taken, including any sanctions imposed.

The record will be kept on the member of staff's confidential personnel file.

If an allegation is found to be malicious, it will be removed from the staff member's personnel file.
The purpose of this record is to enable accurate information to be given in response to any future reference request if the individual leaves the school.

It is also important that accurate and detailed information is held in the event that the DBS makes requests for further information. This information is given to the DBS, if requested, due to the nature of the allegation. A comprehensive record of all allegations will provide clarification in cases where a future DBS disclosure reveals information from the police about an allegation which did not result in a criminal conviction.

The record will be retained until normal retirement age or for 10 years; whichever is the shortest period of time.

The school is required to preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse, for the term of the inquiry.

Confidentiality

Confidentiality is maintained whenever an allegation is made; however, there may be a need to share information with relevant agencies, for example at a strategy meeting, on a need-to-know basis.
Any enquiries from the press will be directed to the Chair of Governors, unless it is a freedom of information or subject access request, in which case the school, Human Resources through Liberata PLC or legal representative will be contacted.

Action to be Taken in Respect of False and Unsubstantiated Allegations

If an allegation made by a pupil is proved to be false, unsubstantiated and/or malicious, action will be taken to determine whether the person who made the allegation needs services or may have been abused by someone else.

In the case of a pupil deliberately inventing or making a malicious allegation, the Headteacher will consider acting in accordance with the Behaviour Policy or whether the police should be asked to consider if action may be appropriate against the person responsible.

If it is clear to the Headteacher and the LADO that the allegation is demonstrably false or unfounded, the member of staff will be informed orally and in writing of the allegation, that it is without foundation and that no further action will be taken.

Where appropriate, and if requested, support will be offered, which could include occupational health and counselling services.

If an allegation made by a member of staff is proved to be false and/or malicious, an investigation will take place. The police may also consider taking action against the individual making the allegation.
Details of allegations that are found to have been malicious will be removed from the staff member's personnel file.

Allegations that are proven to be false, unsubstantiated or malicious will not be included in references.

Learning Lessons

Where an allegation has been made against a member of staff, lessons can be learned, whether the allegations are proven or not. At the conclusion of a case, relevant parties will discuss what can be learned and, therefore, lead to improved practice, either to the school procedures or to help prevent similar events in the future. The LADO and the Headteacher will review the case.

Information Sharing

In a strategy meeting or initial evaluation of the case, the agencies concerned will share all relevant information they have about the person who is the subject of an allegation, and about the alleged victim. Staff attending the strategy meeting will be prepared with the appropriate information, e.g. full name, address, when their latest DBS check was completed, start date, involvement in youth activities, children of their own, and any other information that could be helpful.

As per procedures, the police will obtain consent from the individuals concerned to share the statements and evidence they obtain with the school for disciplinary purposes. This will be done as their investigation proceeds rather than after it has concluded. This will enable the police to share relevant information without delay at the conclusion of their investigation or any court case.

Children's social services adopt a similar procedure when making enquiries to determine whether the pupil named in the allegation needs protection or services, so that any information obtained in the course of those enquiries, which is relevant to a disciplinary case, can be passed to the school without delay.

Resignations and 'Compromise or Settlement Agreements'

The fact that a person tenders their resignation, or ceases to provide their services, will not prevent an allegation being followed up in accordance with these procedures.

Every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process.
Wherever possible, the person will be given a full opportunity to answer the allegation and make representations about it.

The process of recording the allegation and any supporting evidence and reaching a judgement about whether it can be regarded as substantiated on the basis of all the information available, will continue,

even if representations cannot be given or the person does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

In the same way, 'compromise' or 'settlement agreements', by which a person agrees to resign if the school agrees not to pursue disciplinary action and both parties agree a form of words to be used in any future reference, will not be used in these cases.

In any event, such an agreement will not prevent a thorough police investigation where that is appropriate, nor can it override the statutory duty to make a referral to the DBS or the TRA where circumstances require that.

Supporting Those Involved

Supporting the employee

- The school has a duty of care to their employees. They will act to manage and minimise the stress inherent in the allegations and disciplinary process. Support for the individual is vital to fulfilling this duty.
- Individuals will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police.
- The individual will be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be given access to welfare counselling or medical advice.
- The school will appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual; this may include occupational health.
- Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues.
- Social contact with colleagues and friends is not to be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

Supporting the parents

- Parents of a child or children involved will be told about the allegation as soon as possible if they do not already know of it; however, where a strategy discussion is required, or the police or children's social care services need to be involved, the Headteacher will not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents.
- They will also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process.
- The deliberations of a disciplinary hearing, and the information considered in reaching a decision, cannot normally be disclosed, but the parents of the child will be told the outcome in confidence.
- In deciding what information to disclose, careful consideration will be given to the provisions of the GDPR and the Data Protection Act 2018, the law of confidence and, where relevant, the Human Rights Act 1998.

Supporting the child

- In cases where a child may have suffered significant harm, or there may be a criminal prosecution, children's social care services or the police, as appropriate, will consider what support the child or children involved may need.

Policy Review

This policy is reviewed annually by the Designated Safeguarding Lead and Chair of Governors.
The scheduled review date for this policy is September 2027.

APPENDIX A

SUMMARY OF INVESTIGATION INTO AN ALLEGATION OF ABUSE

Name: _____

Establishment: _____

Explanatory Statement

This statement is made in accordance with Keeping Children Safe in Education 2025.

There is a requirement to keep a clear and comprehensive summary of allegations, how the allegation was followed up and resolved, and a note of any action taken and decision reached. This should be kept on a member of staff's confidential personnel file, a copy provided to the person concerned and a copy held centrally by the Senior Adviser for Safeguarding Children in Education.

Details of allegations following an investigation that are found to have been malicious or false should be removed from personnel records unless the individual gives their consent for retention of the information.

However, for all other allegations, i.e. substantiated, unfounded and unsubstantiated it is important that the following information is kept on the file of the person accused:

- a clear and comprehensive summary of the allegation
- details of how the allegation was followed up and resolved
- a note of any action taken, decisions reached and the outcome i.e. substantiated, unfounded or unsubstantiated
- a copy provided to the person concerned, where agreed by local authority children's social care or the police, and
- a declaration on whether the information will be referred to in any future reference.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary reinvestigation if, as sometimes happens, an allegation re-surfaces after a period of time.

All other records should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

This record should be retained at least until the member of staff has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.

Summary of Allegation made, including date:

How Allegation was followed up:

Outcome of Investigation*:

Action taken and decisions reached:

Signed: _____
(Adviser for Safeguarding Children in Education/ Local Authority Designated Officer)

Signed: _____
(Headteacher/Manager)

Date: _____

I have been fully informed of the investigation.

Signed: _____
(Member of staff)

Date: _____

DEFINITIONS

a) ***Substantiated***: there is sufficient evidence to prove the allegation;

b) ***False***: there is sufficient evidence to disprove the allegation;

c) ***Malicious***: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;

d) ***Unfounded***: there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances;

e) ***Unsubstantiated***: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

(* These definitions are taken from Part 4 of Keeping Children Safe in Education: Allegations of abuse made against teachers and other staff.)

Definitions

Significant Harm

This is the threshold where compulsory social care intervention must take place – this was introduced by the Children Act 1989. Harm includes not only ill-treatment (including sexual abuse and non-physical forms of ill treatment), but also the impairment of physical or mental health and the impairment of physical, emotional, social or behaviour development.

Abuse

Abuse can be either physical, sexual, emotional harm, or a form of neglect. The definitions of different types of abuse are below:

Abuse: a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse, including where they see, hear or experience its effects. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

Physical abuse: a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional abuse: the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning or preventing the child from participating in normal social interaction. It may involve seeing or hearing the illtreatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Sexual abuse: involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in

education and all staff should be aware of it and of their school or college's policy and procedures for dealing with it.

Neglect: the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate caregivers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Position of Trust

Those working with children and young people should understand that they are in positions of power and trust in relation to these groups. There is potential for exploitation and harm to children and young people, and employees have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Employees should always maintain professional boundaries and avoid behaviour which might be misinterpreted by others.

APPENDIX C

Information Guide for Employees Facing Allegations

The aim of this information guide is to explain the processes involved, and the support and guidance available, if it is alleged that that you have:

- Harmed a pupil or put a child at risk of harm
- Committed a criminal act towards a pupil
- Behaved in a way that raises concern about the risk you may pose to children or young people

Initial action

As soon as possible after the allegation is made, the Headteacher should consult the local authority designated officer (LADO) to discuss the next action points, taking advice from children's social care and the police as needed. The police may advise that you are not told about the allegation immediately.

The Headteacher's decision in consultation with the LADO will be one, or a combination of the following:

a) The pupil is alleged to have suffered, or is likely to suffer, significant harm - which requires immediate referral to children's social care
b) A criminal offence is alleged – this requires referral to children's social care and the police
c) The allegation represents poor or inappropriate behaviour – this should be considered under the school's disciplinary and/or capability procedures, including referral, if appropriate, to the school's occupational health advisor
d) The allegation is clearly and demonstrably without foundation and no further action will be taken

If the conclusions of the initial discussions are a) or b), a strategy discussion should take place involving police, children's social care, the Headteacher, LADO and Human Resources through Liberata PLC. You should not be present. The discussion will focus on the needs of the pupil(s) who may be at risk. It will determine what action should be taken regarding further investigation, but it is not part of any disciplinary procedures.

If the initial discussions conclude the situation is as outlined in c), an investigation will be initiated under the school's disciplinary and/or capability procedures.

If the conclusion is as outlined in d), you should be told orally and in writing that the allegation is without foundation, and that no further action will be taken.

Types of Possible Investigation

The types of investigation that may be undertaken are:

- Child protection inquiries by children's social care
- Criminal investigation by the police
- Disciplinary/capability investigation

A disciplinary investigation will usually be held in abeyance until external agency investigations are complete, unless prior agreement is reached. Whilst these investigations should be conducted as speedily as possible, they should also be balanced against the need to be thorough and fair, in line with natural justice. Statements taken in external investigations could be used in subsequent disciplinary proceedings.

Suspension

Suspension is a neutral act and should not be automatic. Where possible, the decision to suspend should be informed by the strategy discussion, and should only occur when the known facts relating to the allegation indicate:

- A pupil may be at risk
- The allegation is so serious that dismissal for gross misconduct is possible
- Suspension is necessary to allow the conduct of the investigation to proceed unimpeded

Alternatives to suspension will be considered, e.g. leave of absence, transfer of duties, additional supervision.

Where suspension is being considered, an interview with you will normally be arranged. You have the right to be accompanied by a trade union representative or a colleague. You are advised to seek the assistance of your union representative. If you are suspended, one of their roles will be to promote your interests and raise issues that may be of concern to you.
The interview is not an examination of the evidence, but an opportunity for you to make representations concerning possible suspension.

Other people, including other staff, should only be told about the allegation on a 'need-to-know basis'. Notification may be delayed if the police think this could prejudice an investigation.

Those who will be told of the allegation and likely course of action include you, the pupil concerned, their parents, the person making the allegation, your manager, the Headteacher, Human Resources through Liberata PLC the LADO and the investigating agencies as above.

If you are suspended, those persons likely to be on a disciplinary panel, if convened, will be given limited information so any future disciplinary process is not prejudiced. If the matter becomes common knowledge, it may be necessary to issue a brief statement, agreed by the agencies concerned, to parents, pupils and the public.

Support

You should expect to be:

- Advised to contact your union representative.
- Given a support contact within the school who should keep you up-to-date with the progress of your case.
- Given a team contact, if you are suspended, who will update you about normal school activities. Social contact with colleagues should not be precluded unless this would be detrimental to the investigation. The type of information and frequency of contact should be agreed, but colleagues should not comment on or discuss the investigation.
- Offered staff counselling service and/or occupational health support.

This may be a stressful time, so in addition to contacting your union representative, you are advised to see your GP if you think your health may be affected.

Monitoring and Review of the Policy

This policy is reviewed by the school in conjunction with the Himbleton CE Primary School's governing body.

We will continue to review the effectiveness of this policy to ensure it is achieving its objectives.
Staff members are invited to comment on this policy and suggest ways in which it might be improved by contacting HR.