

Statement of procedures for dealing with allegations of abuse against staff

Tewkesbury C of E Primary School & Pre-School



Approved by:	Governing Body
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Where the terms 'organisation' or 'school' are used throughout this policy, they include Tewkesbury C of E School and Tewkesbury C of E Pre-School. They also include the school's own extended services of Breakfast Club and Afterschool Club.

This procedure applies to all staff, supply staff, contractors, and volunteers. It must be read alongside the school's safeguarding policy, staff code of conduct, and disciplinary procedures to ensure consistency of approach.

If an allegation of abuse is made against any member of staff (including supply teachers) or volunteer at Tewkesbury C of E Primary School, the guidance from Gloucestershire Safeguarding Children Partnership is followed: <https://www.gloucestershire.gov.uk/media/f2bhc2my/allegations-management.pdf>

We will always follow the Gloucestershire Safeguarding Children's Partnership (GSCP) procedures when an allegation is made against any person working in (or on behalf of) GHES that he or she 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, or;
- c. behaved towards a child or children in a way that indicates s/he may pose a risk of harm to children
- d. Behaved in a way that indicates they may not be suitable to work with children
- e. The GSCP procedures can be accessed here:

<https://trixcms.trixonline.co.uk/api/assets/gloucestershirescp/e731691a-a3e7-490f-b342-7139ba51dd3c/successfully-managing-allegations-against-people-in-a-position-of-trust-who-work-with-children-an-employers-guide-v1.2-october-2023-.pdf>

The LADO should be notified within 1 working day. All allegations must be reported to the headteacher (or chair of governors if the headteacher is implicated) immediately, and in any case within the same working day. Delay in reporting may compromise safeguarding and will be treated as a serious breach of procedure. They will offer guidance for the next steps to take and who else should be informed taking the risk and circumstances into account. Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered. Section 13 of the Education Act 2011 introduced restrictions implemented in September 2012 on the publication of any information that would identify a teacher who is the subject of an allegation of misconduct that would constitute a criminal offence, where the alleged victim of the offence is a registered pupil at the school. The school, together with Children's Social Care and / or police, where they are involved, should consider the impact on the child concerned and provide support as appropriate. The school will also ensure appropriate support is offered to the member of staff subject to the allegation, including access to a named contact, HR advice, and wellbeing services. This dual support helps safeguard children while ensuring fairness to staff. Liaison between the agencies should take place in order to ensure that the child's needs are addressed. It is in everyone's interest for cases to be dealt with expeditiously, fairly and thoroughly and for unnecessary delays to be avoided.

The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.

They should not:

- Investigate or ask leading questions if seeking clarification;
- Make assumptions or offer alternative explanations;
- Promise confidentiality, but give assurance that the information will only be shared on a 'need to know' basis.

They should:

- Make a written record of the information (where possible in the child / adult's own words), including the time, date and place of incident/s, persons present and what was said;
- Sign and date the written record;
- Immediately report the matter to the designated senior manager, or the deputy in their absence or; where the designated senior manager is the subject of the allegation report to the deputy or other appropriate senior manager.

When informed of a concern or allegation, the designated senior manager should not investigate the matter or interview the member of staff, child concerned or potential witnesses, they should report the allegation to the LADO.

Employers should keep a clear and comprehensive summary of the case record on a person's confidential personnel file and give a copy to the individual. The record should include details of how the allegation was

followed up and resolved, the decisions reached and the action taken. It should be kept at least until the person reaches normal retirement age or for 10 years if longer. Records will be stored securely in line with data protection legislation. Access will be restricted to designated safeguarding leads, the headteacher, and governors as appropriate. These records may be shared with statutory agencies if required.

If an allegation is substantiated and the person is dismissed or the employer ceases to use the person's service or the person resigns or otherwise ceases to provide his/her services, the LADO should discuss with the employer whether a referral should be made to the Disclosure and Barring Service (DBS). If the person being referred to the DBS is a teacher in England they should also be referred to the [Teaching Regulation Agency](#). Referrals to the DBS and Teaching Regulation Agency must be made promptly, and the school will keep a record of the referral and any correspondence. Failure to refer when required is a criminal offence.

All communication with parents, staff, and external parties will be managed by the headteacher (or chair of governors if the headteacher is implicated) in consultation with the LADO. No information should be shared publicly until agreed with statutory agencies, to protect both the child and the staff member involved.

The following flowchart, which contains key points from the above link, is also used:



Allegations Management

Concerns about a member of staff or a volunteer working with children

If a professional receives an allegation or has a concern about the behaviour of a member of staff working or volunteering with children and that concern could amount to:

1. Behaved in a way that has harmed or may have harmed a child.
2. Possibly committed a criminal offence against, or related to a child.
3. Behaved towards a child or children in a way that indicates they may pose a risk of harm to children
4. Behaved or may have behaved in a way that indicates they may not be suitable to work with children



Report their concerns

Report the concern to the most senior person not implicated in the allegation



Completion of written record

Complete a written record of the nature and circumstances surrounding the concern, including any previous concerns. Include where the concern came from and brief details only.



Seek advice before proceeding – Initial Discussion

Always contact the Local Authority Designated Officer (LADO) for advice prior to investigation the allegation. This is because it might meet the criminal threshold and so your investigation could interfere with a Police or Social Care investigation.

Local Authority Designated Officer (LADO) – Tel: 01452 426994

The LADO will offer advice on any immediate action required and will assist with employment and safeguarding issues.



Allegations Management Process

If, after your initial discussion with the LADO, it is agreed that the allegation meets the criteria, please complete the allegation management referral form via the GSCP website: <https://www.gloucestershire.gov.uk/health-and-social-care/children-young-people-and-families/lado-allegations/>

The LADO will review referrals and convene an allegations management meeting. This might result in a criminal investigation, a Social Care investigation and /or an investigation to inform whether disciplinary action is required. If it is agreed that the allegation does not meet the criteria, the LADO will record the initial discussion and send it to you for your records. Any further action will be taken within your setting if necessary.



Further Action

Further meetings might be required and these will be convened by the LADO, with your input at all times. Further information on the Allegations Management process here: <https://www.gloucestershire.gov.uk/health-and-social-care/children-young-people-and-families/lado-allegations/>