



Allegations Against Adults Policy

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1 INTRODUCTION

- I.1 Experience shows that children can become victims of abuse and exploitation by those adults who work with them in any context. Wade Deacon High School takes its safeguarding responsibilities very seriously and recognises that any instances where a member of staff may have 'harmed' a student, must be investigated thoroughly, professionally and objectively to ensure the student or the member of staff are not prejudiced in any way.
- I.2 For the purpose of this policy, members of staff also include supply teachers, volunteers and contractors who work in or on behalf of the school in a paid or unpaid capacity.
- I.3 Arrangements therefore for managing concerns or allegations of this nature should be robust and effective in keeping children safe. All allegations should be taken seriously, approached with an open mind, and not driven by preconceived opinions about whether a student has or has not been harmed or preconceived opinions on whether the member of staff has harmed or not harmed the student in any way.
- I.4 Measures and procedures for dealing with allegations against staff should be proportionate and timely, open to challenge, and in the best traditions of collaborative working, as set out in statutory guidance:
 - I.4.1 Working Together (July 2018)
 - I.4.2 Keeping Children Safe in Education (September 2022)
- I.5 These procedures must be applied consistently where there is a concern or an allegation that a member of staff has:
 - I.5.1 Behaved in a way that has harmed a child, or may have harmed a child;
 - I.5.2 Possibly committed a criminal offence against or related to a child;
 - I.5.3 Behaved towards a child or children in a way that indicates they may pose a risk of harm to children; or
 - I.5.4 Behaved or may have behaved in a way that indicates they may not be suitable to work with children.
- I.6 Any allegation of abuse (linked to the thresholds above) made by a student against any member of staff, volunteer or contractor at the school, must follow the procedures specified in this Policy. The procedures for dealing with allegations against adults need to be applied with common sense and judgement.
- I.7 The procedures set out in this policy apply regardless of whether the school is where the alleged abuse took place. Allegations against a member of staff who is no longer teaching and historical allegations of abuse will be referred to the police.

- 1.8** This Policy recognises that there are some instances / allegations where a member of staff's behaviour does not meet the harm threshold as set out in Paragraph 1.5. These would be classed as 'low-level concerns' and dealt with using the procedures specified in the 'Low-Level Concerns' Policy. If implemented correctly, this should encourage:
- An open and transparent culture;
 - Enable schools and colleges to identify concerning, problematic or inappropriate behaviour early;
 - Minimise the risk of abuse and
 - Ensure that adults are clear about professional boundaries and act within these boundaries in accordance with the ethos and values of the institution.
- 1.9** The term 'low-level' does not mean that the concern / allegation is insignificant; it simply means that the behaviour does not meet the harm thresholds set. A low-level concern is behaviour that is inconsistent with the staff code of conduct, including inappropriate conduct outside of work.
- 1.10** Low-Level concerns should be reported to the school Principal.
- 1.11** Examples of low-level concerns could include but are not limited to: being over friendly with children; having favourites; taking photographs of children on their mobile phone; engaging with a child on a one-to-one basis in a secluded area or behind a closed door, humiliating children or using inappropriate sexualised, intimidating or offensive language.

2 REPORTING AN ALLEGATION

- 2.1** The person who is in receivership of the allegation or report of abuse by a member of staff of a student must report it to the Principal – the 'case manager'. Should the allegation be made against the school Principal, this should be reported to the Chair of Governors (Mrs Chris Fone) immediately (please see Dorothy Hussey for contact details). If an allegation is made against a Governor, schools and colleges should follow their own local procedures. Where an allegation is substantiated, they should follow the procedures to consider moving them from office.
- 2.2** When informed of a concern or allegation, the Principal should not investigate the matter or interview the member of staff, child concerned or potential witnesses. Instead, initial fact-finding should take place to obtain details of the concern / allegation.
- 2.3** If a student makes an allegation, the member of staff should listen carefully and make notes on the incident reported. The member of staff should record the information in keeping with the school's procedures and processes for safeguarding disclosures (please see the school's Safeguarding & Child Protection Policy for further details). It is important that the member of staff listens carefully and records the information as reported by the child.

- 2.4 All allegations should be taken seriously, approached with an open mind, and not driven by preconceived opinions about whether a student has or has not been harmed or preconceived opinions on whether the member of staff has harmed or not harmed the student in any way.
- 2.5 Should any of the allegations meet any of the thresholds set out in paragraph 1.5 then the Principal must report the allegation to the Local Authority Designated Officer (LADO) whose role is to:
- Receive reports about allegations and to be involved in the management and oversight of individual cases;
 - Provide advice and guidance to employers and voluntary organisations and agencies;
 - Liaise with the Police and other agencies;
 - Monitor the progress of cases to ensure they are dealt with as quickly as possible, consistent with a thorough and fair process;
 - Provide advice and guidance to employers in relation to making referrals to the Disclosure and Barring Service (DBS) and other regulatory bodies.
- 2.6 If the allegation or concern does not meet the thresholds then this can be dealt with using the procedures set out in the 'Low Level Concerns' Policy.
- 2.7 As set out in paragraph 1.5.4, Wade Deacon High School recognises that there are occasions when a person who works with children behaves in a way that is concerning and raises questions about their ability to recognise and take steps to safeguard children in their care that would previously have not met the threshold of LADO. In line with statutory guidance (KCSIE September 2022), schools will need to consider circumstances where events / actions outside of school may pose a transferable risk. A transferable risk is where a member of staff, supply teacher or volunteer is involved in an incident outside school which did not involve children but could have an impact on the suitability to work with children. For example, a member of staff is involved in domestic abuse at home, offences against adults and substance misuse for example. No children were involved, but we would be expected to consider what triggered these actions and could a child in school trigger the same reaction, therefore being put at risk. This will also need to be considered for low-level concerns that occur outside of school.
- 2.8 All staff need to be aware of this and keep in mind that, as well as being a potential breach of other policies, such behaviours outside of school could result in a safeguarding investigation under Part 4 of Keeping Children Safe in Education 2021. Some relatively minor matters previously dealt with informally or under the disciplinary policy might become a safeguarding matter requiring referral to the LADO.
- 2.9 Staff in school should ensure that they disclose information about themselves relating to the above to the Principal as soon as possible. School will create an environment and culture where staff are able to do this.

- 2.10 If concerns arise about the person's behaviour in relation to their own children, the Police and/or Children's Social Care must consider informing the employer / organisation in order to assess whether there may be implications for children with whom the person has contact at work.

3 INITIAL CONSIDERATIONS

- 3.1 The Principal will keep the allegation as confidential as possible but may consult with the DSL to ensure that all of the relevant information about the student and the member of staff can be carefully considered. It will also be necessary for the Principal to refer to previous staff conduct records to establish any potential patterns of behaviour.
- 3.2 The Principal (or assigned Case Manager) will discuss the matter with the LADO once a consultation form has been completed, along with details of the allegation. Once completed, the form should be sent via secure email to: safeguarding.adminteam@halton.gov.uk The referral must be made within 24 hours of receiving the allegation. Advice can also be sought from Michelle McPherson (Safeguarding Manager and LADO).
- 3.3 Following the referral, the LADO may offer guidance to the employer to ensure that appropriate actions are taken. It is not the role of the LADO to determine whether the suspension of the member of staff is required nor will they undertake investigations.
- 3.4 The procedures for dealing with allegations need to be applied with common sense and judgement. Once a consultation form has been completed, the Principal will discuss the matter with the LADO and provide any further details about the allegation and the circumstances in which it was made. The LADO and the Principal will discuss the nature, content and context of the allegation and agree a course of action. The LADO may also ask for additional information such as previous history, whether the child or family have made similar allegations previously and about the member of staff's contact with children. The LADO may advise that further information is needed to make a decision about next steps.
- 3.5 Where an allegation has been made, the Principal should inform the accused person as soon as possible after consulting with the LADO. It is important that the member of staff is provided with as much information as possible at this time as long as this does not impact or affect the allegation / investigation procedures.
- 3.6 Many cases will not meet the criteria (set out in Paragraph 1.5) or may do so without warranting consideration of either a police investigation or enquiries by local authority children's social care services. In these cases, action should remain within normal line management arrangements / disciplinary procedures.
- 3.7 Where no further action is to be taken regarding the allegation, the decision and justification for it should be recorded by both the Principal and the LADO. Both parties should specify

how the agreement has been reached and how this will be communicated to all parties involved.

- 3.8 Information and further guidance around Halton's procedures can be found via the Pan Cheshire Procedures online: [Allegations Against Staff or Volunteers \(proceduresonline.com\)](http://proceduresonline.com)

4 THE LADO PROCESS: FURTHER ACTION REQUIRED

- 4.1 Allegations that are serious will require immediate intervention by children's social care services and/or police for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where allegations appear to meet the criteria, the LADO should consult with the police and children's social care services as appropriate.
- 4.2 The Principal may, on occasion, consider it necessary to involve the police before consulting the LADO; for example, if there is an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the Principal will notify the LADO as soon as practicably possible after contacting the police.
- 4.3 Employers must consider carefully whether the evidence of a case warrants a person being suspended from contact with children at the school or whether alternative arrangements can be put in place until the allegation is resolved. All options to avoid suspension should be considered prior to taking this step.
- 4.4 Whilst the LADO can offer advice to employees, it is not the LADO's decision to suspend. This is the employer's decision and should take into account guidance provided by the school's HR department.
- 4.5 If there is cause to suspect a child is suffering or is likely to suffer significant harm, a LADO Allegation Management Meeting will take place with relevant agencies and professionals. In arranging the strategy meeting, the LADO will liaise with appropriate agencies to ensure that all the right people are represented. If the allegation relates to physical contact, the discussion or initial evaluation should take into consideration that teachers and other members of staff are entitled to use reasonable force to restrain or control children in certain circumstances, including dealing with disruptive behaviour.
- 4.6 Further enquiries may be needed to enable a decision about how to proceed. If so, the LADO should discuss with the Principal how the investigation should be undertaken. In many cases, the investigation should be undertaken by a senior member of staff.
- 4.7 In all instances it will be necessary for the employer to consider the suitability of the professional to continue in their post during the course of an investigation. The employer must ensure that they have considered all other options available and suspension should only be used if the information suggests that the professional presents an immediate risk to

the child in question or other children within their role in the school. Decisions made by the employer must be reported to the LADO.

- 4.8 In cases where the employer chooses to dismiss the professional involved prior to the strategy meeting or prior to the conclusion of the investigation, they do so in isolation; the LADO and the strategy group are not responsible for those decisions. In such cases, the employer must refer the matter to the Disclosure and Barring Service (DBS).

5 SUPPORTING EMPLOYEES

- 5.1 Employers have a duty of care to their employees by managing and minimising the stress inherent in the allegations process. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the course of action unless there is an objection by children's social care services or the police. The individual should be advised to contact their trade union representative or a colleague for support. Other agencies of support should be sought (counselling or Occupational Health) if appropriate. The Principal should appoint a named representative to keep the person who is the subject of the allegation informed of the progress.
- 5.2 When staff are suspended, employers should not prevent social contact with work colleagues and friends, unless there is evidence to suggest this may prejudice the investigation and the gathering of evidence.

6 SUPPORTING THE CHILD & PARENTS

- 6.1 The welfare of the child is paramount and this will be the prime concern in terms of investigating an allegation against a person of trust.
- 6.2 Parents and carers of the child or children involved should be told about the allegation as soon as possible if they do not already know. If the allegation leads to an Allegation Management Meeting or the police or children's social care services are involved, information should not be shared with parents or carers until those agencies have been consulted. Parents or carers should also be kept informed about the progress of the case as well as the outcomes.
- 6.3 Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against members of staff whilst investigations are ongoing.
- 6.4 In cases where a child may have suffered significant harm, or where there may be a criminal prosecution, children's social care services, or the police, should consider what support the child or children involved may need.

7 SUSPENSION

- 7.1 The employer may decide to suspend the employee until the case is resolved based upon careful evaluation of the allegation and the possible risk of harm to children. Suspension

should not be an automatic response and all options to avoid suspension should be considered prior to taking that step. If the school is concerned about the safety and welfare of other children or the member of staff's own family, these concerns should be reported to the LADO or police, but suspension is highly unlikely to be justified on the basis of such additional concerns alone.

- 7.2 Suspension should only be considered in cases where there is cause to suspect a child or other children at the school is/are at risk of significant harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal. Again, the school will need to carefully consider whether the circumstances warrant suspension.
- 7.3 The school should also consider whether alternative arrangements could be made to avoid suspension. If the LADO and children's social care services have no objections, the employer should be as inventive as possible to avoid suspension. Alternatives to suspension could be:
 - 7.3.1 Redeployment in the school so that the member of staff does not have direct contact with the child or children concerned;
 - 7.3.2 Providing an assistant to be present when the individual has contact with children;
 - 7.3.3 Redeployment to alternative work in the school so that the member of staff does not have unsupervised access to children;
 - 7.3.4 Moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted;
 - 7.3.5 Temporarily deploying the member of staff to another role in a different location, for example to an alternative school within the Trust.
- 7.4 These alternatives allow time for the school to make an informed decision regarding the suspension and possibly reduce the initial impact of the allegation to all parties involved. The decision to suspend or not will be dependent on the nature of the allegation. The school should consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unsubstantiated or maliciously intended.
- 7.5 If immediate suspension is necessary, the reasons for this should be agreed and recorded by the school and the LADO. This should also include what alternatives to suspension have been considered and the reasons for their rejection.
- 7.6 Where suspension has been deemed the appropriate course of action, written confirmation should be dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. The school should ensure support is in place for the employee

and the member of staff should be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.

- 7.7 Children's social care services or the police cannot require the school to suspend a member of staff, although the school should give appropriate weight to their advice. The power to suspend is vested in the Principal or the governing body who are employers of the staff at the school however, where an Allegation Management Meeting or initial evaluation concludes that there should be enquiries by children's social care services and/or an investigation by the police, the LADO should canvass views from these professionals about whether the accused member of staff needs to be suspended from contact with children in order to inform the school's consideration of suspension. Involvement by the police does not make it mandatory to suspend a member of staff.
- 7.8 The school should carry out a risk assessment for each individual case, which should be carefully considered when making a decision to suspend, or not.

8 ALLEGATION MANAGEMENT MEETING

- 8.1 The initial meeting will seek agreement on how best to investigate the allegations. In all instances, a criminal investigation takes precedence over employer investigations; the school must consider the implications of commencing their own investigation prior to the conclusion of a police investigation. The LADO will refer the matter to the Registering body if employers continue with their own investigation against advice; this is due to the implications on the criminal process.
- 8.2 If a police investigation is not progressed, the employer becomes responsible for undertaking their own internal investigation. The Allegation Management Meeting will determine the areas of investigation required by the employer.
- 8.3 The Allegation Management Meetings should take place at a frequency determined by the Chair and the strategy group members. The police will also provide regular updates of any ongoing police investigations.
- 8.4 The LADO has overall responsibility for the oversight of the procedures for dealing with allegations, for resolving any inter-agency issues and for liaison with the three safeguarding partners (the local authority, a clinical commissioning group and the police).
- 8.5 The Lado will provide advice and guidance to the Principal whilst liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible.
- 8.6 If the Allegation Management Meeting or initial assessment decides that a police investigation is required, the police should also set a date for reviewing the progress of the investigation and consulting the Crown Prosecution Service (CPS) about whether to: charge the individual; continue to investigate or close the investigation. 'Keeping Children Safe in Education' guidance specifies that wherever possible, the review from the police should

take place no later than four weeks after the initial evaluation and thereafter at fortnightly or monthly intervals.

- 8.7 A final Allegation Management Meeting will determine the outcome based on the definitions below:

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

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

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

8.7.4 **Unsubstantiated:** this is not the same as a false allegation. It means there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence;

8.7.5 **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made.

- 8.4 Upon conclusion of the investigation, a decision by the employer may be to dismiss the employee. Where this is the case, it is the legal responsibility of the employee to make a referral to the DBS. Where a referral is made, strategy notes are often requested in order to support their investigations into the longer-term suitability to continue to work with children. In these instances, the employer will contact the LADO who will provide notes to the DBS.

- 8.5 Where a person has been dismissed, the employer is making a decision that they are unsuitable to continue with their professional role. The employer must refer to the DBS. Where the employer fails to make a referral to the DBS, the LADO will make the referral, identifying that the employer has not acted in accordance with their legal duty. The DBS will then initiate an investigation into the employer's failure to complete a referral as per their legal responsibility.

9 ADDITIONAL CONSIDERATIONS FOR SUPPLY TEACHERS, VOLUNTEERS OR CONTRACTORS

- 9.1 If there are concerns or an allegation is made against someone not directly employed by the school, such as supply staff, volunteers or contractors provided by an agency, we will take the actions below in addition to our standard procedures.
- 9.2 We will not decide to stop using a supply teacher, volunteer or contractor due to safeguarding concerns without finding out the facts and liaising with our local authority designated officer to determine a suitable outcome.

- 9.3 The Principal or Governing Body will discuss with the agency whether it is appropriate to suspend the member of staff, or redeploy them to another part of the school, while the school carries out the investigation.
- 9.4 We will involve the agency fully, but the school will take the lead in collecting the necessary information and providing it to the local authority designated officer as required.
- 9.5 We will address issues such as information sharing, to ensure any previous concerns or allegations known to the agency are taken into account (we will do this, for example, as part of the allegations management meeting or by liaising directly with the agency where necessary).
- 9.6 When using an agency, we will inform them of our process for managing allegations, and keep them updated about our policies as necessary, and will invite the agency's HR manager or equivalent to meetings as appropriate.

10 CONFIDENTIALITY

- 10.1 When an allegation is made, the school should make every effort to maintain confidentiality and guard against unwanted publicity. The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a member of staff in a school who has been accused. The reporting restrictions apply until the point that the accused person is charged with an offence.

11 RECORD KEEPING

- 11.1 Details of allegations that are found to have been malicious or false should be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved and a note of actions and decisions reached are kept on the confidential file of the member of staff along with declaration of whether the information will be referred to in any future reference.
- 11.2 Cases in which an allegation was proved false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

12 TIMESCALES

- 12.1 All investigations should be investigated and resolved as quickly as possible. The timescales will be dependent on a variety of factors including the nature, seriousness and complexity of the allegation.
- 12.2 Where it is immediately clear that the allegation is unsubstantiated or malicious, they should be resolved within one week. Where the initial consultation decided that the allegation does not involve a possible criminal offence it will be for the employer to deal with this. If there are concerns about child protection, the school should discuss them with the LADO. If the investigation does not require formal disciplinary action, appropriate action should

be taken within three working days. If a disciplinary hearing is required, the hearing should be held according to the timescales stipulated by the employer's disciplinary procedures.

13 ACTIONS FOLLOWING A CRIMINAL INVESTIGATION OR A PROSECUTION

- 13.1 The police should inform the LADO and the employer immediately when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after the person has been charged. In those circumstances, the LADO should discuss with the employer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. This should be based on information provided by the police and/or children's social care services. The options for the employer will depend on the circumstances of the case and the consideration will need to take into account the outcome of the police investigation or trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

14 ACTIONS FOLLOWING THE CONCLUSION OF A CASE

- 14.1 If the allegation is substantiated and the employee is dismissed or the employee resigns or ceases to provide his or her services, the LADO should discuss with the employer whether the school or college will decide to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.
- 14.2 The LADO and the employer will also need to consider whether a referral to the Teaching Regulation Agency (TRA) is needed to consider prohibiting the individual from teaching.
- 14.3 There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child or if a person otherwise poses a risk to a child.
- 14.4 Where it is decided that a person has been suspended during the investigation of the case, the employer should consider how best to facilitate their return. Most people will benefit from help and support to return after a stressful experience. Depending on the circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The employer should also consider how the employee's contact with the child or children who made the allegation can be best managed if they are still a student at the school.

15 ACTIONS FOLLOWING A MALICIOUS OR UNSUBSTANTIATED ALLEGATION

- 15.1 If an allegation is determined to be unsubstantiated or malicious, the LADO should refer the matter to the children's social care services to determine whether the child concerned is in need of services, or may have been abused by someone else.
- 15.2 If an allegation is shown to be deliberately invented or malicious, the Principal should consider whether action is taken against the student.

- 15.3 If an allegation made by a member of staff is proved to be false and/or malicious, an investigation should take place. The police may also consider taking action against the individual making the allegation.

16 RESIGNATIONS AND 'SETTLEMENT AGREEMENTS'

- 16.1 If the accused employee resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with these procedures. A referral to the DBS must be made if the allegation is subsequently substantiated. Schools must also consider whether a referral to the Secretary of State is appropriate.
- 16.2 If the accused person resigns or their services cease to be used and an allegation is substantiated, it will not be appropriate to reach a settlement / compromise agreement.
- 16.3 Any settlement / compromise agreement that would prevent a referral to the DBS, even though the criteria for referral are met, is likely to result in a criminal offence being committed. This is because the employer would not be complying with its legal duty to make a referral.
- 16.4 Even where the employee refuses to cooperate with the process, every effort should be made to reach a conclusion in all cases that potentially impact the welfare or safety of children. Wherever possible, the employee should be given a full opportunity to respond to the allegation and any supporting evidence. The process of recording the allegation and reaching a judgement about whether the allegation can be substantiated should continue even if that cannot be done or the member of staff does not cooperate. It may be difficult to reach a conclusion or it may not be possible to apply any disciplinary sanctions in these circumstances 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.
- 16.5 'Settlement agreements' (sometimes referred to as compromise agreements), by which a person agrees to resign if the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, should not be used in cases where the employee refuses to cooperate or refuses to resign before the employee's notice period expires. Such an agreement will also not prevent a thorough police investigation where that is appropriate nor can it override the legal and statutory duty to make a referral to the DBS or TRA where circumstances require that.

17 PERSONNEL FILES & REFERENCES

- 17.1 Details of allegations that are found to be malicious should be removed from personnel files. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personnel file of the accused along with declaration of whether the information will be referred to in any future reference. These should be kept at least until the person reaches normal retirement age or 10 years if longer.

- 17.2 The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. 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 re-investigation if, as sometimes happens, an allegation resurfaces after a period of time.
- 17.3 Schools have an obligation to preserve records that contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry.
- 17.4 The Information Commissioner has published guidance on employment records in its Employment Practices Code and supplementary guidance, which provides some practical advice on record retention.
- 17.5 Cases in which an allegation was proven to be false, unfounded, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns which have all been found to be false, unsubstantiated or malicious should also not be included in any references.

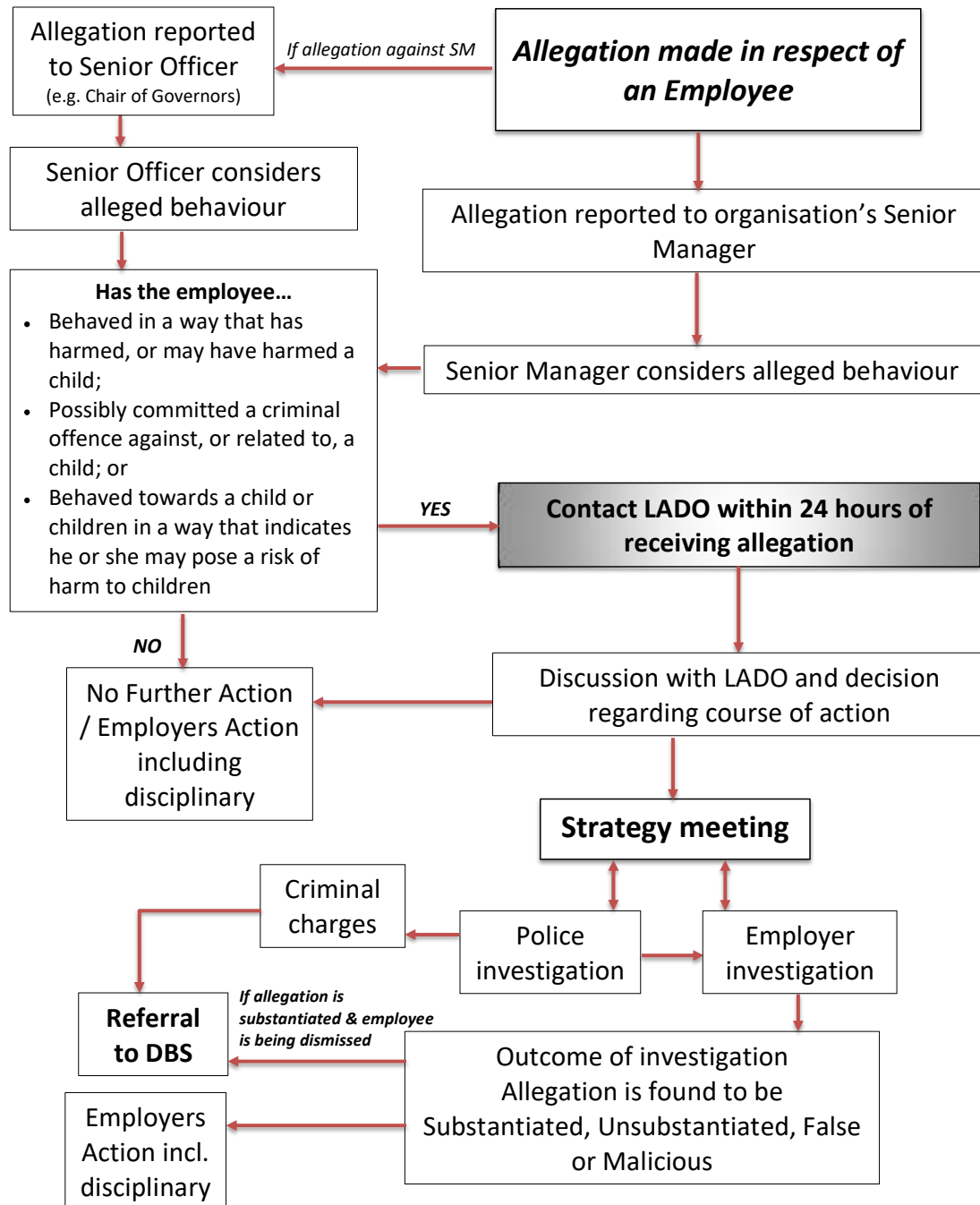
18 LEARNING LESSONS

- 18.1 At the conclusion of a case in which an allegation is made against a member of staff, lessons can be learned even where cases are proved or not. At its conclusion, relevant parties involved in the case should discuss what could be learned and therefore lead to improved practice, either to the school's procedures or to help prevent similar incidents in the future. This is for all cases where the allegation concluded to be either unfounded, false, malicious or unsubstantiated.
- 18.2 Where an allegation is substantiated, the LADO should review the circumstances with the school to determine whether there are any improvements to be made to the school's procedures. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not a suspension was justified. Lessons should also be learned from the use of suspension where the individual is later reinstated. The LADO and the school should consider how future investigations of a similar nature could be carried out without suspending the individual.

Appendix 1: LADO FLOW CHART

MANAGING ALLEGATIONS AGAINST ADULTS

HALTON LADO PROCEDURES FLOWCHART



LADO tracks progress, outcomes, etc. and reports to LSCB and DfE