

## These procedures apply to an adult who works (paid or unpaid) 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 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.

[Working Together to Safeguarding Children, DfE 18](#)  
[Keeping Children Safe in Education, DfE 20](#)

## All allegations should be:

- Dealt with by the Head Teacher, Principal, Proprietor, Chair of Governors/Management Committee **i.e. the Case Manager**; even if not the employer (including leading investigations e.g. where supply agencies are involved)
- Responded to quickly, fairly & consistently, protecting the child or young person whilst supporting the person subject to the allegation
- Systematically recorded by the LADO & Case Manager, detailing all decisions & actions

The Case Manager should inform the LADO **within one working day** of an allegation that may meet the criteria above, to consider the nature, content & context & agree a course of action (see process checklist overleaf). The Designated Safeguarding Lead/Deputy should **ONLY** liaise with the “case manager” & LADO about child protection concerns, **NOT** employment issues.

## Employers have a ‘duty of care’ and should:

- Act to minimise the stress in this process
- Inform employees as soon as possible unless the police/children’s social care object
- Provide appropriate support to employees
- Appoint a named person to keep the employee informed of the progress of the case
- Advise employee to contact their trade union
- 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 material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil/student from the same school or college

## 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 Case 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
- 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 review the case with the case manager and the relevant Safeguarding Children Advisor, Education, to identify any improvements that are required.

### Local Authority Designated Officer (LADO):

tel. 07814 382 424

#### To make a referral:

- download & complete the [LADO request form](#)
- **securely** email to [steven.hill@sheffield.gov.uk](mailto:steven.hill@sheffield.gov.uk)

**Do not investigate this matter yourself before getting advice and support from the LADO**

### Potential investigation outcomes:

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

## Process checklist:

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

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

### Action required from Head Teacher, Principal, Chair of Governors, Head of Service etc.:

- Do the **police** need to be involved immediately, e.g. if there is an immediate risk to children or if an offence may have been committed? Take required action.
- Record dates/times of alleged incidents, details of those involved and any potential witnesses
- Gather & secure any 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: e.g. was the member of staff on duty and present when the alleged incident took place? Are there potential witnesses?
- **Contact the LADO immediately** if advice is needed, otherwise **securely email** (e.g. use encrypted attachment) the information to the LADO at [steven.hill@sheffield.gov.uk](mailto:steven.hill@sheffield.gov.uk) or tel. **07814 382 424**

**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 and when
- 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 (**or as advised**, if 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 – all 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/student from the same school or college

## Useful web links/resources:

- [Keeping Children Safe in Education, DfE 2020](#)
- [Working Together to Safeguard Children, DfE 2018](#)
- [Sheffield Children Safeguarding Partnership Safeguarding & Child Protection Procedures](#)

**Related documents:** [Safeguarding Sheffield Children website, education, policies, procedures & guidance:](#)

- Behaviour Guidance & Positions of Trust
- Designated Safeguarding Lead & Deputy Role
- Governing Body Safeguarding Role