

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):

Andrew Adedoyin, tel.: 07889737078

To make a referral:

- download & complete the [LADO referral form](#)
- **securely** email to LADO@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**, either on tel: 07889737078 if advice is needed, or otherwise, **securely email** (e.g. use encrypted attachment) the information to the LADO at LADO@sheffield.gov.uk

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