The Gallery Trust Allegations Against Staff (including low-level concerns) Policy

Orion Academy

(central policy)

2026/2027

This document is based on guidance from
Keeping children safe in education 2026 - GOV.UK

Monitoring arrangements

This policy will be reviewed at least **annually and/or following any updates to national and local guidance and procedures** by The Gallery Trust Designated Safeguarding Manager. At every review, it will be approved by the Board of Trustees.

Updated	1st September 2026
Date ratified	21st September 2026
Chair of Trustees	Chris Scrivener
Safeguarding Trustee	Helen Barter
Chair of RIB	Simon Terrington
Designated Manager for Gallery Trust	Alison Cox

The GALLERY TRUST

A community of special schools

Policy Update September 2026

The following updates have been applied to this policy:

- Updated inline with KCSIE 2026
- Written inline with The Trust Disciplinary Policy
- Merged the Low Level Concerns policy and previous Allegations Management Policy
- Adapted to explain more about the role of the LADO
- Clarification of process in relation to agency staff

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Contacts

School: Orion Academy		
Executive Headteacher	Julia Hyde	julia.hyde@orionacademy.co.uk 01865 771703 (Orion Academy)
Designated Safeguarding Lead (DSL)	Gail Phillips	gail.phillips@orionacademy.co.uk 01865 771703 (Orion Academy)
Deputy DSL	Rani Tandon	rani.tandon@orionacademy.co.uk 01865 771703 (Orion Academy)
Deputy DSL	Joseph Barrett	joseph.barrett@orionacademy.co.uk 01865 771703 (Orion Academy)
Deputy DSL	Jerrome Sobers	jerome.sobers@orionacademy.co.uk 01865 771703 (Orion Academy)
Trust		
Designated Safeguarding Manager for Gallery Trust	Alison Cox	a.cox@thegallerytrust.co.uk Mobile: 07385 724198
Interim Head of HR	Cath Wilson	c.wilson@thegalleryTrust.co.uk
Safeguarding Trustee	Helen Barter	h.barter@thegallerytrust.co.uk c/o The Gallery Trust: 01865 557004
Chair of Trustees	Chris Scrivener	c.scrivener@thegalleryTrust.co.uk
Other		
Local Authority Designated Officer (LADO) and	Manager: Jo Lloyd	Lado.safeguardingchildren@oxfordshire.gov.uk 01865 810603

Introduction

This policy explains the process that is followed by the Gallery Trust when allegations are made against any staff member that relate to a safeguarding concern. The Trust is committed to safeguarding and promoting the welfare of children and young people and expects the same of all of its employees. It is based on the statutory requirements and good practice laid out in Keeping Children Safe in Education (KCSIE) 2026.

Scope

This policy applies to all employees of the Trust, temporary or agency workers including those in the capacity of supply teacher or trainee teacher.

The term “staff” in this policy refers to anyone working or volunteering at The Gallery Trust, including agency staff, contractors, consultants and any person acting on behalf of the Trust

The policy is non-contractual, may be amended at any time and will be reviewed periodically to ensure it remains fit for purpose and effective**.**

Part 1:

1. Allegations that may meet the harm threshold

This section is based on ‘Section 1: Allegations that may meet the harm threshold’ in Part 4 of Keeping Children Safe in Education (KCSIE) 2026.

This section applies to all cases in which it is alleged that a current member of Trust staff, including a supply teacher, trainee teacher, temporary or agency worker, volunteer or contractor, 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 4th threshold “Behaved or may have behaved in a way that indicates they may not be suitable to work with children” refers to behaviour taking place both inside and outside of school.

If we’re in any doubt as to whether a concern meets the harm threshold i.e. an incident serious enough to require formal statutory intervention, we will consult our Local Authority Designated Officer (LADO)

If we believe a concern meets the harm threshold, a referral will be made to LADO who will inform us as to the level of oversight and management they want to have with regards to the concern. The Trust are obliged to follow any such direction the LADO gives.

If we're in any doubt as to whether a concern meets the harm threshold, we will consult our Local Authority Designated Officer (LADO).

Our policy and procedures for dealing with allegations will be applied with common sense and judgement.

We will investigate any allegation quickly, in a fair and consistent way that provides effective child protection whilst also supporting the individual who is the subject of the allegation.

A case manager will lead an investigation. The case manager will be appointed by the Headteacher / Head of school. If a Headteacher is the subject of the allegation the Chair of Trustees, Chief Executive Officer(CEO), or Deputy CEO will appoint the case manager. The case manager will be identified at the earliest opportunity.

If a case does not meet the LADO threshold for oversight and management that does not mean that a disciplinary process will not be instigated.The case manager will liaise with the Trust's Head of HR and Designated Safeguarding Manager to make a decision on next steps.

Allegations made in relation to organisations using The Trust premises

If we receive an allegation of an incident happening while an individual or organisation was using a Trust premises/school to run activities for children, we will follow our safeguarding policies and procedures and inform our LADO.

2. What is LADO?

The LADO is involved in the oversight and management of allegations against people who work with children- paid or volunteering. They

- provide advice and guidance to employers and voluntary organisations about the most appropriate way to manage the concern or allegation and helps to establish what the next steps should be
- will determine whether threshold is met, and if not will advise and record as a consultation
- will consult with police, social care and other agencies if required
- will make a decision around transferable risk and may disclose information to other agencies (eg if the individual subject to the allegation also volunteers as a sports coach)
- will arrange and chairs a Position of Trust meeting if required
- monitors the progress of a case

The LADO does not investigate cases.

More information about the role of the LADO can be found here: Local Authority Designated Officer (LADO) - Oxfordshire Safeguarding Children Partnership

3. Suspension

Suspension of the individual subject to the allegation will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the alleged case is so serious that there might be grounds for dismissal if upheld. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative to suspension.

In such cases, a suspension risk assessment will be undertaken to consider what the appropriate course of action would be and whether suspension can be avoided. Completed suspension risk assessments will be shared with the LADO. Whilst not an exhaustive list, other options that will be considered as part of this process include: :

- Redeployment within the Trust so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children
- Redeploying the individual to alternative work in the Trust so that they do not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents/carers have been consulted
- Temporarily redeploying the individual to another role in a different location, for example to an alternative school or other work for the Trust

If in doubt, the case manager will seek guidance from the Trust's Designated Safeguarding Manager and Head of HR, as well as the Designated Officer at the Local Authority. If the police and local authority children's social care team have been involved, their guidance and input will also be sought

All suspensions must be approved by the CEO or Deputy CEO.

4. Definitions for outcomes of allegation investigations

The outcome of an investigation will result in one of the following outcomes:

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive, or to cause harm to the subject of the allegation
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)
- **Unfounded**: to reflect cases where there is no evidence or proper basis which supports the allegation being made

5. Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the case manager or Headteacher/Head of school will take the following steps:

- Conduct basic enquiries, referred to as an incident review, in line with local procedures to establish the facts to help determine whether there is any foundation to the allegation before carrying on with the steps below, if that has not already taken place.
- Discuss the allegation with the Designated Officer at the Local Authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or local authority children's social care services. (On occasions it may be necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or local authority children's social care services, where necessary). Where the police and/or local authority children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the school is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or local authority children's social care services, as appropriate
- Where the case manager is concerned about the welfare of other children in the community or the individual's family, they will discuss these concerns with the DSL and make a risk assessment of the situation. If necessary, the DSL may make a referral to local authority children's social care
- **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the school and their contact details
- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation

- **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or local authority children's social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with local authority children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice
- Keep the parents or carers of the child/children involved informed of the progress of the case (only in relation to their child – no information will be shared regarding the staff member)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child
- Investigation reports will be returned to the LADO before for agreement around recommended next steps, including no further action

The Gallery Trust Designated Safeguarding Manager and Head of HR will support schools with the case management of allegations.

For The Gallery Trust school with early years provision: we will inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere), and any action taken in respect of the allegations. This notification will be made as soon as reasonably possible and always within 14 days of the allegations being made.

If the Trust is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the Teaching Regulation Agency.

Where the police are involved, wherever possible the Trust will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the school's disciplinary process, should this be required at a later point.

Additional considerations for supply teachers, trainee teachers, and all contracted staff

If there are concerns or an allegation is made against someone not directly employed by the Trust, such as a supply teacher , a trainee teacher, or contracted staff member provided by an agency, the Trust shares safeguarding responsibilities with the employment agency or business. We will take the actions below in addition to our standard procedures.

- We will not decide to stop using an individual due to safeguarding concerns without finding out the facts and liaising with our LADO to determine a suitable outcome
- The Designated Safeguarding Manager and/or case manager will discuss with the agency whether it is appropriate to suspend the individual, or redeploy them to another part of the school/Trust, while the school carries out the investigation
- We will involve the agency fully, but the school/Trust will take the lead in collecting the necessary information and providing it to the LADO as required
- 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)

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 lead or equivalent to meetings as appropriate. Teacher training providers are expected to follow the same procedures as set out for supply agencies.

6. Timescales

We will deal with all allegations as quickly and effectively as possible and will endeavour to comply with the following timescales, where reasonably practicable:

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious should be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, appropriate action should be taken within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, this should be held within 15 working days

However, these are objectives only and where they are not met, we will endeavour to take the required action as soon as possible thereafter.

7. Specific actions

Action following a criminal investigation or prosecution

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or local authority children's social care services.

Conclusion of a case where the allegation is substantiated

If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the Trust will make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the Trust will consider whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching.

Individuals returning to work after suspension

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the school.

Unsubstantiated, unfounded, false or malicious reports

If a report is:

- Determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to local authority children's social care may be appropriate
- Shown to be deliberately invented, or malicious, the school will consider whether any disciplinary action is appropriate against the individual(s) who made it

Unsubstantiated, unfounded, false or malicious allegations

If an allegation is:

- Determined to be unsubstantiated, unfounded, false or malicious, the LADO and case manager will consider the appropriate next steps. If they consider that the child and/or person who made the allegation needs help, or the allegation may have been a cry for help, a referral to local authority children's social care may be appropriate
- Shown to be deliberately invented, or malicious, the school will consider whether any disciplinary action is appropriate against the individual(s) who made it

8. Confidentiality and information sharing

The Trust will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the LADO, police and local authority children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises. Press requests should be referred to a member of the Central team.

9. Record-keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case. Our confidential staff records are stored on Staff Safe.

The records of any allegation that, following an investigation, is found to be malicious or false will be deleted from the individual's electronic personnel file (unless the individual consents for the records to be retained on the file).

For all other allegations (which are not found to be malicious or false), the following information will be kept on the electronic file of the individual concerned:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken, decisions reached and the outcome
- A declaration on whether the information will be referred to in any future reference

In these cases, the school will provide a copy to the individual, in agreement with local authority children's social care or the police as appropriate.

We will retain all records at least until the accused individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

10. References

When providing employer references, we will:

Not refer to any allegation that has been found to be false, unfounded, unsubstantiated or malicious, or any repeated allegations which have all been found to be false, unfounded, unsubstantiated or malicious

Include substantiated allegations, provided that the information is factual and does not include opinions

11. Learning lessons

After any cases where the allegations are *substantiated*, the case manager will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to the Trust's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated.
- We will consider how future investigations of a similar nature could be carried out without suspending the individual

For all other cases, the case manager will consider the facts and determine whether any improvements can be made.

12. Non-recent allegations

Abuse can be reported, no matter how long ago it happened.

We will report any non-recent allegations made by a child to the LADO in line with our local authority's procedures for dealing with non-recent allegations.

Where an adult makes an allegation to the school that they were abused as a child, we will advise the individual to report the allegation to the police.

Part 2: Concerns that do not meet the harm threshold

The section is based on 'Section 2: Concerns that do not meet the harm threshold' in part 4 of Keeping Children Safe in Education.

This section applies to all concerns (including allegations) about members of staff, including supply teachers, trainee teachers, volunteers and contractors, which do not meet the harm threshold set out in section 1 above.

Concerns may arise through, for example:

- Suspicion
- Complaint
- Safeguarding concern or allegation from another member of staff
- Disclosure made by a child, parent or other adult within or outside the school
- Pre-employment vetting checks

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

13. Definition of low-level concerns

The term 'low-level' concern is any concern – no matter how small – that an adult working in or on behalf of the Trust and/or its schools may have acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, **and**
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the designated officer at the local authority

Examples of such behaviour could include, but are not limited to:

- Being overly 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 pupils

14. Sharing low-level concerns

We recognise the importance of creating a culture of openness, Trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
- Empowering staff to share any low-level concerns as stated in our Child Protection and Safeguarding policy and Confidential Reporting Policy
- Empowering staff to self-refer
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised
- Helping to identify any weakness in the school or Trust's safeguarding system
- Reminding staff that they have a statutory responsibility to raise concerns
- Provide training/briefings and reminders to staff

15. Responding to low-level concerns

If the concern is raised via a third party, the headteacher/head of school or a member of SLT (if appointed by the Headteacher/head of school) will collect any available evidence as part of an incident review where necessary by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously
- To the individual involved and any witnesses

The headteacher/head of school will use the information collected to categorise the type of behaviour and determine any further action, in line with the staff behaviour code of conduct. The headteacher/head of school will be the ultimate decision-maker in respect of all low-level concerns, though they may wish to collaborate with the DSL.

We will work hard to resolve these concerns in a timely fashion, where possible within 24 hours.

Support will be offered to the staff member subject to the low level concern

16. Record keeping

All low-level concerns will be recorded in writing. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken.

Records will be:

- Kept confidential, held securely and comply with the Data Protection Act 2018, Data (Use and Access) Act 2025, and UK GDPR. These records will be kept on our secure electronic system Staff Safe

- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harm threshold as described in section 1 of this appendix, we will refer it to the designated officer at the local authority
- Retained at least until the individual leaves employment at the school

Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

17. References

We will not include low-level concerns in references unless:

The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or

The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance

Part 3: Trust processes

18. Disciplinary processes

Any allegations against Trust staff that are subject to formal procedures will be managed in line with the Trust Disciplinary Procedure and policy.

Non Trust staff, for example agency staff, contractors and consultants will be managed in line with their own processes and procedures.

Any substantiated allegations against a volunteer will result in a review and decision as to ongoing involvement with the Trust.

19. Liaison and advice

The Trust DSM and/or Head of HR will provide advice and guidance throughout these processes