# Allegations and Low-Level Concerns Raised in Relation to Staff, Supply Staff, Contractors and Volunteers' Policy

**This policy has been approved and adopted by the Xavier Catholic Education Trust in January 2026 and will be reviewed in January 2028**

**Committee Responsible: HR/R&A Committees**

# Xavier Managing Allegations Policy


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This policy will be used alongside our complaints policy and child protection and safeguarding policy.

**Xavier Catholic Education Trust Mission Statement**

'To inspire, nurture and fulfil the calling of every person we encounter and the potential of every school we serve; growing together in faith, hope and love'.

Everything we do in Catholic education is to help ensure that every child we teach and every person we work with has the opportunity to realise their own calling and become the best version of themselves. Our aim is to enable potential with the highest-quality provisions, to go out into the world and make our unique contribution for the greater good of all God's people here on Earth.

## 1 Introduction

1.1 The Xavier Catholic Education Trust takes the safeguarding of its pupils very seriously and we recognise that it is extremely important that any allegation made against a member of staff, supply staff, contractors or volunteer is managed quickly and effectively. It is also important that low-level safeguarding concerns are recognised and reported so behaviours can be appropriately managed.

1.2 This policy sets out how the Xavier Catholic Education Trust will manage allegations and low-level concerns raised in relation to a member of staff, supply staff, contractors or volunteers within our Trust. It meets the requirements of the Department for Education statutory guidance for managing allegations set out in Part 4 of Keeping Children Safe in Education 2025.

1.3 This policy is set out in two parts. The first part deals with allegations made against members of staff, including supply staff, contractors or volunteers. The second part deals with low level concerns raised in relation to members of staff, including supply staff, contractors or volunteers.

## 2 Part One: Managing Allegations Made Against Members of Staff, Supply Staff, Contractors or Volunteers

2.1 This part of the policy will be followed when managing such allegations and may be adapted to each case as required. Whilst it will be used in all cases, Part 4 of Keeping Children Safe in Education 2025 requires that it is followed in any case where it is suspected or alleged that a member of staff, including agency staff, or a volunteer has:

- behaved in a way that has harmed a child or may have harmed a child (see our child protection and safeguarding policy, for what we mean by 'harm')
- possibly committed a criminal offence against or related to a child
  or
- behaved towards a child or children in a way that indicates he or she 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

2.2 The fourth bullet point above includes behaviour that may have happened outside of the Xavier Catholic Education Trust or any of its schools, which might make an individual unsuitable to work with children. This is known as transferable risk.

2.3 Whilst schools are not the employer of supply teachers, we will ensure allegations are dealt with properly.

## 3 Reporting an allegation

3.1 The safety and welfare of our pupils is of paramount importance and so all staff must report their allegations immediately.

3.2 Allegations made against a member of staff, supply staff, contractors or a volunteer should be reported to the Headteacher. Allegations involving the Headteacher should be reported to the Chief Executive Officer (CEO) of Xavier Catholic Education Trust or XCET Safeguarding Compliance Director. The Headteacher or CEO (as appropriate) will then contact the local authority designated officer (LADO) following completion of the basic enquiries, if required. The Headteacher, CEO or XCET Safeguarding Compliance Director (SCD) will then act as the case manager. The CEO will contact the relevant member(s) of the central team to support the Headteacher and follow the internal protocol.

3.3 When an allegation is made, the Headteacher / CEO / XCET SCD will consider two aspects:

3.3.1 looking after the welfare of the child; and

3.3.2 investigating and supporting the person subject to the allegation.

3.4 In each case, the Headteacher / CEO/ XCET SCD will:

3.4.1 apply common sense and judgement.

3.4.2 deal with allegations quickly, fairly and consistently and

3.4.3 provide effective protection for the child and support the person subject to the allegation.

3.5 Before contacting the LADO, the Headteacher/CEO/ SCD will conduct basic enquiries to establish the facts to help determine whether there is any foundation to the allegation. The Headteacher/CEO/SCD will contact the LADO, once it has been confirmed that there is foundation to the allegation and an initial discussion will take place to consider the nature, content and context of the allegation and agree a course of action. The School's Designated Safeguarding Lead may also be involved in this discussion. This discussion may include that:

- no further action is required; or
- more information is required to determine a course of action; or
- a strategy discussion should take place; or
- police or social care should be involved.

3.6 The Trust/School will share relevant information with the LADO about the allegation, the child, and the person against whom the allegation has been made. If it is decided that a strategy discussion should take place, then the Trust/School will always attend that meeting. Representatives from other agencies such as health, social care and police may also be invited to the meeting.

## 4 Investigating an allegation

4.1 An investigation into the allegation should normally be undertaken by a senior member of staff at the Xavier Catholic Education Trust or School. Where no suitable staff are available or the nature or complexity of the allegation requires it, the Xavier Catholic Education Trust may appoint an independent investigator.

4.2 When determining the outcome of an investigation Part 4 of Keeping Children Safe in Education 2025 states that the following definitions should be used when determining the outcome of the investigation:

4.2.1 **Substantiated:** there is sufficient evidence to prove the allegation.

4.2.2 **Malicious**: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject to the allegation.

4.2.3 **False:** there is sufficient evidence to disprove the allegation.

4.2.4 **Unsubstantiated**: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

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

4.3 In no circumstances would the Trust cease to use a member of supply staff due to safeguarding concerns without finding out the facts and liaising with the LADO to determine a suitable outcome. Whilst Xavier Catholic Education Trust is not the employer of supply teachers, we will ensure allegations are dealt with properly and involve the supply staff agency in the process.

## 5 Supporting those involved

**5.1 Parents or carers of the child or children involved should be:**

5.1.1 formally told about the allegation as soon as possible. The case manager should consult the LADO and where involved, local authority children's social care and/or the police, on what information can be disclosed

5.1.2 kept informed about the progress of the case, only in relation to their child – no information can be shared regarding the staff member, and

5.1.3 made aware of the requirement to maintain confidentiality and unwanted publicity about any allegations made against teachers in schools whilst investigations are in progress as set out in section 141F of the Education Act 2002.

**5.2 The member of staff or volunteer**

5.2.1 The Trust has a duty of care to its employees and will act to minimise the stress inherent in the investigation process.

5.2.2 The person who is the subject of the allegation will be informed as soon as possible, usually after the initial discussion with the LADO. The person will be advised of the likely course of action unless the police or children's social care raise an objection. In those circumstances the Trust will work with children's social care and the police to agree what information can be disclosed and when.

5.2.3 The Headteacher/CEO (as appropriate) will appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and up to date on other school related matters. The Headteacher/CEO (as appropriate) will also consider what other support may be appropriate for the individual. The Trust will advise the individual to contact their trade union representative or a colleague for support. They may also be given access to support services provided by the Trust.

5.2.4 The person who is the subject of the allegation will be advised to contact their trade union representative, or a colleague for support.

5.2.5 Where an allegation is made against a member of supply staff, the supply agency should provide additional support to that member of supply staff.

## 6 Suspension

6.1 Suspension is not an automatic response to an allegation being made. The Trust will only suspend a member of staff following careful consideration of whether there is cause to suspect the child or other children is/are at risk of harm or the case is so serious that it might be grounds for dismissal. In many cases, it may be possible for alternative arrangements to be made so that the individual can continue working.

6.2 The Xavier Catholic Education Trust makes the decision whether or not to suspend a member of staff. Where the police or children's social care are involved in the case, the Trust will listen to their views regarding suspension.

6.3 In the case of a supply teacher, the Xavier Catholic Education Trust will discuss with the supply agency or agencies whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the school, whilst they carry out their investigation.

6.4 Where the member of staff is suspended, they will receive written confirmation within one working day and will be informed of the reason for the suspension.

6.5 If the trust suspends the member of staff, they will be entitled to representation at meetings and will be given a named member of senior leadership to contact during their suspension.

6.6 After the suspension, if it is decided that the employee can return to the school, measures will be put in place to support their return to work. This could include a phased return or offering another member of staff as a support system.

## 7 Resignation

7.1 If the individual resigns or the supply staff member, contractor or volunteer ceases to provide their service, the investigation into the allegation will continue until completed. The individual will be given the opportunity to engage with the investigation.

## 8 Action on conclusion of the case

8.1 If the allegation is substantiated and:

8.1.1 the employee is dismissed or resigns; or

8.1.2 we cease to use the supply staff member's services as a result of the allegation.

8.1.3 we cease to use the contractor's services as a result of the allegation; or

8.1.4 we cease to use the volunteer's services as a result of the allegation.

the Trust will consider whether a referral to the DBS (Disclosure and Barring Service) and/or to the TRA (Teacher Regulation Agency) is required.

8.2 If an allegation is determined to be unsubstantiated, unfounded, false or malicious, the LADO and the case manager should consider whether the child and/or the person who has made the allegation is in need of help or may have been abused by someone else and this was a cry for help. In such circumstances, a referral to local authority children's social care may be appropriate.

8.3 The school's behaviour policy may include the action that will be taken against pupils who are found to have made malicious allegations.

8.4 Where an allegation is made against a member of supply staff the outcome of the investigation will be shared with the supply agency and the LADO.

## 9 Post incident review

9.1 It is good safeguarding practice for schools and Trusts to review incidents upon their conclusion so they can learn from them and continue to improve standards of safeguarding. Where allegations are made against staff, supply staff, contractors or volunteers, the Trust may carry out a review at the conclusion of the case.

## 10 Timescales

10.1 Investigations into allegations against staff, including agency staff or volunteers will be concluded as quickly and efficiently as possible to ensure that any risks to the child or other children and stress to the individual is minimised as far as possible.

## 11 Record keeping

11.1 Details of allegations following an investigation that are found to have been malicious or false should be removed from personnel records unless the individual gives their consent for retention of the information. However, for all other allegations, i.e. substantiated, unfounded and unsubstantiated it is important that the following information is kept on the file of the person accused:

- a clear and comprehensive summary of the allegation
- details of how the allegation was followed up and resolved
- a note of any action taken, decisions reached, and the outcome i.e. substantiated, unfounded or unsubstantiated

- a copy provided to the person concerned, where agreed by local authority children's social care or the police, and
- a declaration on whether the information will be referred to in any future reference

11.2 The record will be kept, including for people who leave the Xavier Catholic Education Trust at least until the person reaches normal pension age or for 10 years if that will be longer, from the date of the allegation.

11.3 Details of any allegation made by a pupil will be kept in the confidential section of their record.

## 12 Confidentiality

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

12.2 The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher in a school who has been accused by, or on behalf of, a pupil from the same school. This applies to parents and carers as well as the press.

## 13 Non recent allegations

13.1 Where an adult makes an allegation to the Xavier Catholic Education Trust that they were abused as a child, that adult will be advised to report the allegation to the police.

13.2 Non recent allegations made by a child will be reported to the LADO in line with the local authority's procedures for dealing with non-recent allegations.

## 14 Part Two: Managing low level concerns

14.1 This part of the policy will be followed when dealing with low level concerns raised in relation to members of staff, including supply staff, contractors or volunteers and may be adapted to each case as required. It will be used alongside the Xavier Catholic Education Trust's **Complaints Procedure, Child Protection and Safeguarding Policy, Code of Conduct** and **Disciplinary Procedure**.

14.2 Xavier Catholic Education Trust promotes a culture in which all concerns about all adults working in or on behalf of the Trust (including supply teachers, contractors and volunteers) are addressed appropriately.

14.3 This policy is designed to:

14.3.1 promote and support a culture of openness and trust where staff are clear about the behaviours expected of themselves and their colleagues.

14.3.2 ensure staff are comfortable to raise low-level concerns; and

14.3.3 provide for efficient and proportionate handling of those concerns.

## 15 Recognising low level concerns

15.1 This policy will be used to manage 'low-level' concerns, defined in Part 4 of Keeping Children Safe in Education 2023 as any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

15.1.1 is inconsistent with the Xavier Catholic Education Trust's code of conduct, including inappropriate conduct outside of work; and

15.1.2 does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Local Authority Designated Officer (LADO).

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

15.2.1 being over friendly with children.

15.2.2 having favourites;

15.2.3 taking photographs of children on their mobile phone

15.2.4 engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or

15.2.5 humiliating Children

## 16 Sharing low level concerns

16.1 For our culture of openness and trust to prevail, all staff should share any low-level concerns they have. Serious Case Reviews and Safeguarding Practice Reviews have often evidenced how low-level concerns felt and/or expressed by staff relating to individuals who were later found to have sexually abused children at a school were not recorded. When they are not recorded, they cannot be reviewed or studied for patterns of behaviour.

16.2 To minimise and hopefully eradicate the risk of those opportunities being missed, it is critical that staff understand their role in identifying and reporting low level concerns.

16.3 All staff are encouraged to immediately report low level safeguarding concerns as defined in this policy so that the identified behaviours can be investigated and managed appropriately.

16.4 All low-level concerns in relation to staff, supply staff, contractors or volunteers should be reported immediately to the Headteacher. Concerns about the Headteacher should be reported to the CEO or SCD of the Xavier Catholic Education Trust.

16.5 The procedure for reporting low level concerns is consistent with that for reporting allegations of abuse, as set out in part one of this policy. Staff do not need to determine whether their concern meets the threshold set out in part one of this policy or is a low-level concern. The Headteacher or CEO (as appropriate) or Xavier SCD will make this determination once the staff member has reported the issue.

## 17 Responding to low-level concerns

17.1 The Headteacher/CEO/SCD (as appropriate) will review the concern to confirm that it is not a more serious issue that should be dealt with under part one of this policy. An issue reported as a low-level concern would be dealt with under part one of this policy where it meets the threshold set out in part one, or where there is a pattern of low-level concerns expressed about the individual or wider staff practices generally. If necessary, the Headteacher/CEO/SCD (as appropriate) will discuss the concern with the LADO to determine whether it should be dealt with under part one of this policy.

17.2 The Headteacher or SCD (as appropriate) will discuss the concern with the individual who raised it and will investigate it as appropriate.

17.3 Most low-level concerns are likely to be minor and can be dealt with by means of management support or additional training. Where necessary, action may be taken in accordance with the Xavier Catholic Education Trusts' code of conduct and disciplinary procedure.

17.4 If the concern has been raised via a third party, the Headteacher or SCD (as appropriate) will collect evidence by speaking directly to the person who raised the concern (unless it has been raised anonymously), the individual involved and any witnesses.

17.5 Where a low-level concern is raised about a member of supply staff or a contractor, the concern will be shared with supply agency so they can take appropriate steps in accordance with their own policies and statutory guidance.

## 18 Recording low-level concerns

18.1 All low-level concerns will be recorded in writing and will include details of the concern, the context and action taken. The records will be kept confidential and held securely in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation.

18.2 Records of low-level concerns will be reviewed so potential patterns of concerning, problematic or inappropriate behaviour can be identified. If patterns are identified, the Trust will decide on an appropriate course of action and will refer the matter to the LADO where the behaviour moves from a concern to meeting the threshold set out in the first part of this policy.

The record of the low-level concern will be kept at least until the person leaves the Xavier Catholic Education Trust.

## 19 References

19.1 Low level safeguarding concerns will not be included in references except where they have met the threshold for referral to the LADO and found to be substantiated, in which case they should be referred to in references.

**Appendix 1**

# Low-Level Concern Form

Please fill in the below form, including as much detail as you can. Please refrain from discussing this concern with anyone other than the Headteacher or Xavier Safeguarding Compliance Director (a.halliday@xaviercet.org.uk) and keep all details confidential.

| | |
|---|---|
| **School:** | |
| **Name of person Reporting the Low-level Concern:** | |
| **Role:** | |
| **Date concern form completed:** | |

| **Details of Low-level Concern** | |
|---|---|
| **Name of member of staff:** | |
| **Role:** | |
| **Date of incident:** | |
| **Does the low-level concern relate to behaviour in school, out of school, or both:** | |
| **Name/s of any child/children involved:** | |
| **Details of the low-level concern (please provide as much detail as possible):** | |
| **Name and position of the person you are passing this information to?** | |

NB: Staff members may request anonymity when reporting a concern, and the school will endeavour to respect this as far as possible.

| **To be completed by Headteacher/Xavier Safeguarding Compliance Director** | |
|---|---|
| **Date and time form received** | |
| **Concern meets the threshold of harm** | Yes/No<br>(If yes, referral must be made to the LADO) |
| **Have 'low level' or other concerns been raised about this individual previously?** | Yes/No<br>(If yes, provide dates and brief details) |
| **Details of decisions, any actions taken and rationale for those decisions (including any safeguards put in place)** | |
| **Concern/referral discussed with parent/carer (if not, state reasons why – if yes, note discussion with parent** | |
| **A copy of this low-level concern form has been placed in the member of staff's personnel file** | Yes/No<br>If no, state reason |
| **Full Name:** | |
| **Signature:** | |
| **Date of Signature** | |