

lexia
Education Services
Changing the lives of young people



Managing Allegations Against Staff Policy

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Date of Implementation: 2nd September 2025
Date of Review: 2nd September 2026 (reviewed annually)
Date of Next Review: 2nd September 2027

The purpose of this Policy Statement is:

- To provide a caring, positive, safe and stimulating environment that promotes the social, physical and moral development of each individual student.
- To protect children and young people who receive Lexia Education's services from harm.

Legal Framework

This policy has been drawn up based on legislation, policy and guidance that seeks to protect children in England. All action taken by Lexia Education will be in accordance with current legislation and guidance.
The following safeguarding legislation and guidance has been considered when drafting this policy:

- Teachers' Standards (Guidance for school leaders, school staff and governing bodies)
- Working Together to Safeguarding Children
- Keeping Children Safe in Education 2025
- Information Sharing 2018 • What to do if you're worried a child is being abused
- SEND Code of Practice 2015
- The Children and Families Act 2014 • Mental Capacity Act 2005
- Human Rights Act 1998

This policy should be read in conjunction with the following policies:

- Safer Recruitment policy
- Whistleblowing policy
- Code of Conduct
- Behaviour policy
- Online Safety policy
- Attendance policy
- Health and Safety policy
- Sex and relationships policy

We believe that:

- Children and young people should never experience abuse of any kind
- We have a responsibility to promote the welfare of all children and young people, to keep them safe and to practise in a way that protects them.

We recognise that:

- The welfare of children is paramount in all the work we do and in all the decisions we take.
- Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare.
- All children, regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation have an equal right to protection from all types of harm or abuse.
- Some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues
- Extra safeguards may be needed for children and young people with Special Educational Needs and Disabilities (SEND)

We will seek to keep children and young people safe by:

- Valuing, listening to and respecting them.
- Adopting child protection and safeguarding best practice through our policies, procedures and code of conduct for all staff.
- Developing and implementing an effective online safety policy and related procedures
- Providing effective management for staff through supervision, support, training and quality assurance measures so that all staff know about and follow our policies, procedures and behaviour codes confidently and competently.
- Recruiting and selecting staff safely, ensuring all necessary checks are made
- Recording and storing and using information professionally and securely, in line with data protection legislation and guidance.
- Using our procedures to manage any allegations against staff appropriately.
- Ensuring that we have effective complaints and whistleblowing measures in place.
- Ensuring that we provide a safe physical environment for our children, young people, staff, by applying health and safety measures in accordance with the law and regulatory guidance.

Reporting Process

Lexia will deal with any allegation of abuse quickly, in a fair and consistent way that provides effective child protection. Lexia's procedures for dealing with allegations will be applied with common sense and judgement.

This section applies to all cases in which it is alleged that a current member of staff 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 –

Suspension of the accused until the case is resolved
Suspension of the perpetrator will be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm. In such cases, Lexia will suspend an individual if they have considered all other options available and there is no reasonable alternative. Suspension is not a disciplinary penalty and carries no implication of guilt. Whilst on suspension an employee must be available for meetings as required during normal working hours. During a period of suspension if the employee has access to the computer system it will be denied.

Definitions for outcomes of allegation investigations

- 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

Procedure for dealing with allegations
In the event of an allegation the DSL will conduct a thorough investigation, which may result in formal disciplinary action. During the investigation, the DSL will take the following steps:

- Conduct basic enquiries to establish the facts to help determine whether there is any foundation to the allegation before carrying on with the steps below
- Discuss the allegation with the designated officer at the child's local authority (LADO). 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 children's social care services. (The DSL may, on occasion, consider it 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 children's social care services, where necessary). Where the police and/or children's social care services are involved, the DSL will only share such information with the individual as has been agreed with those agencies
- If immediate suspension is considered necessary, agree and record the rationale for this with the management. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day,
- If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, this decision will be recorded and the justification for it
- If it is decided that further action is needed, further steps will be taken in line with the disciplinary procedure to initiate the appropriate action and/or liaise with the police and/or children's social care services as needed.

At all stages of the formal disciplinary procedure:

- A right of reply to all and any allegations will be available before any decision or disciplinary action is taken.
- Be advised of the nature of any disciplinary action taken and the consequences of such action.
- Be advised of any improvement in conduct or performance required and over what period.
- A support person will be able to attend at any disciplinary meeting.

Conclusion of a case where the allegation is substantiated

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

Confidentiality and information sharing

Lexia will make every effort to ensure confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The DSL will take advice from the relevant local authority, police and children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and which information should be shared
- How to manage speculation, leaks and gossip, including how to make parents, carers of a child/children involved aware of their obligations with respect to confidentiality
- How to manage press interest if / when it arises

Record-keeping

Lexia 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.

The records of any allegation that, following an investigation, is found to be malicious or false will be deleted from the individual's 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 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, Lexia will provide a copy to the individual, in agreement with the relevant local children's social care or the police (as appropriate). Where records contain information about allegations of sexual abuse, we will preserve these for the equivalent, for the term of any inquiry.

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

References

When providing employer references, Lexia 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.

We are committed to reviewing our policy and good practice annually.