

Woodside Academy



Staff Discipline and Dismissal Procedure

Safeguarding Concerns and Allegations Procedure – Adults Working in School

Approved by SLT: January 2026

1. Introduction

This procedure outlines how safeguarding concerns or allegations against any adult working in the school—paid or voluntary, including governors—will be managed. This includes incidents occurring on or off school premises.

These procedures comply with statutory guidance in Keeping Children Safe in Education (KCSIE, DfE 2023/2024), the Education Act 2002, the Children Act 1989/2004, the Disclosure and Barring Service (DBS) regulations, and relevant employment legislation.

Key principles:

- All concerns or allegations are treated seriously.
- Allegations are handled promptly, fairly, and consistently, balancing the need to safeguard children and support the adult concerned.
- Cooperation with statutory agencies, third-party employers, and professional bodies is mandatory.

2. Scope

This procedure applies to:

- All employees (including the Principal/CFO)
- Supply and agency staff
- Volunteers
- Contractors
- Governors

Third-party cooperation: All agencies or employers providing staff to the school must be informed of this procedure and cooperate fully.

Exclusions: Allegations concerning former staff or historical allegations will be referred to the Police and Local Authority Designated Officer (LADO).

3. Roles and Responsibilities

All adults in the school share responsibility for safeguarding. This includes identifying concerns, sharing information promptly, and cooperating with statutory procedures. Staff should follow the school's Code of Conduct.

Reporting concerns:

- Report immediately to the Principal, DSL, or Deputy DSL.
- Concerns about the Principal/governor: report to Chair of Governors (or Vice Chair/Safeguarding Governor if unavailable).

Whistleblowing:

If staff feel unable to report internally, concerns can be raised via the Whistleblowing Policy, or externally:

- LADO (Essex): 03330 139797 / LADO@essex.gov.uk
- NSPCC: 0800 028 0285 / help@nspcc.org.uk (Mon–Fri, 8:00–20:00)

4. Initial Assessment and Investigation

4.1 Initial Assessment

- The Principal (or Chair of Governors if allegation involves Principal) and DSL assess concerns promptly.
- Low-level concerns may be addressed with support, training, or management guidance.
- Allegations meeting the statutory harm threshold proceed to formal investigation.

Harm Test (statutory, per KCSIE & DBS):

- Behaviour that has harmed, or may harm, a child
- Possible criminal offence against/related to a child
- Behaviour indicating risk of harm to children
- Behaviour suggesting unsuitability to work with children

4.2 Initial Investigation

- Case manager appointed (Principal or Chair of Governors)
- May seek advice from HR or independent investigator if necessary
- For third-party/agency staff, the employer is notified and involved in meetings
- Initial investigation focuses on establishing factual basis, without:
 - Leading questions or in-depth interviews
 - Assumptions or offering alternative explanations
 - Promises of confidentiality (information shared on a “need to know” basis only)

Initial steps:

- Written, signed, and dated record of concern
- Obtain written statement from the reporter
- Fact-check key elements (e.g., presence of accused and child)
- Parents informed if child is injured or requires medical attention

5. Suspension and Alternative Arrangements

Statutory guidance (KCSIE) requires a risk-based approach:

- Suspension only if necessary to protect children or investigation integrity
- Alternatives include redeployment, reassignment, or restricted duties
- Written rationale and documentation required

Application:

- Employees: formal risk assessment and written notification
- Volunteers: assessed case-by-case, may be asked to refrain from attendance
- Third-party/agency staff: liaise with employer before any removal from school
- Governors: may be asked to absent themselves or be suspended if regulations allow

DBS Referral:

- Mandatory if individual removed (or would have been removed) from regulated activity due to safeguarding concerns

6. Allegations Meeting the Harm Threshold

- Case manager reports to LADO within one working day (statutory requirement)
- LADO coordinates with Police and Children's Social Care
- School follows statutory guidance on:
 - Sharing information with parents/accused
 - Attending strategy or planning meetings
- Internal procedures paused until statutory investigations conclude
- Criminal case outcomes inform subsequent disciplinary or internal action

7. Internal Procedures (Harm Test Not Met or Statutory Agencies Concluded)

- Employees → Disciplinary Procedure applies
- Volunteers → School-led investigation, outcome recorded in child protection records
- Third-party/agency staff → Employer responsible, school provides evidence and support
- Governors → Complaints against Governors Procedure

Low-level concerns (statutory requirement):

- All low-level concerns are recorded in writing, stored securely, and reviewed regularly
- Reviewed to identify patterns of behaviour that may indicate risk
- Appropriate actions taken (training, mentoring, supervision)

8. Conclusion and Outcome Definitions

Investigations continue regardless of resignation or cessation of engagement. Settlement agreements must not be used to prevent safeguarding action.

Outcome categories (statutory):

- Substantiated: Sufficient evidence proves allegation
- Malicious: Deliberate attempt to deceive
- False: Sufficient evidence disproves allegation
- Unsubstantiated: Insufficient evidence to prove/disprove
- Unfounded: No evidence or basis for allegation

Records:

- Malicious/false allegations removed from personnel files
- Other allegations retained per retention schedule (10 years, normal pension age, IICSA)
- Relevant safeguarding matters disclosed in references (statutory)

Return to work:

- Phased return or mentoring considered
- Manage contact with children involved

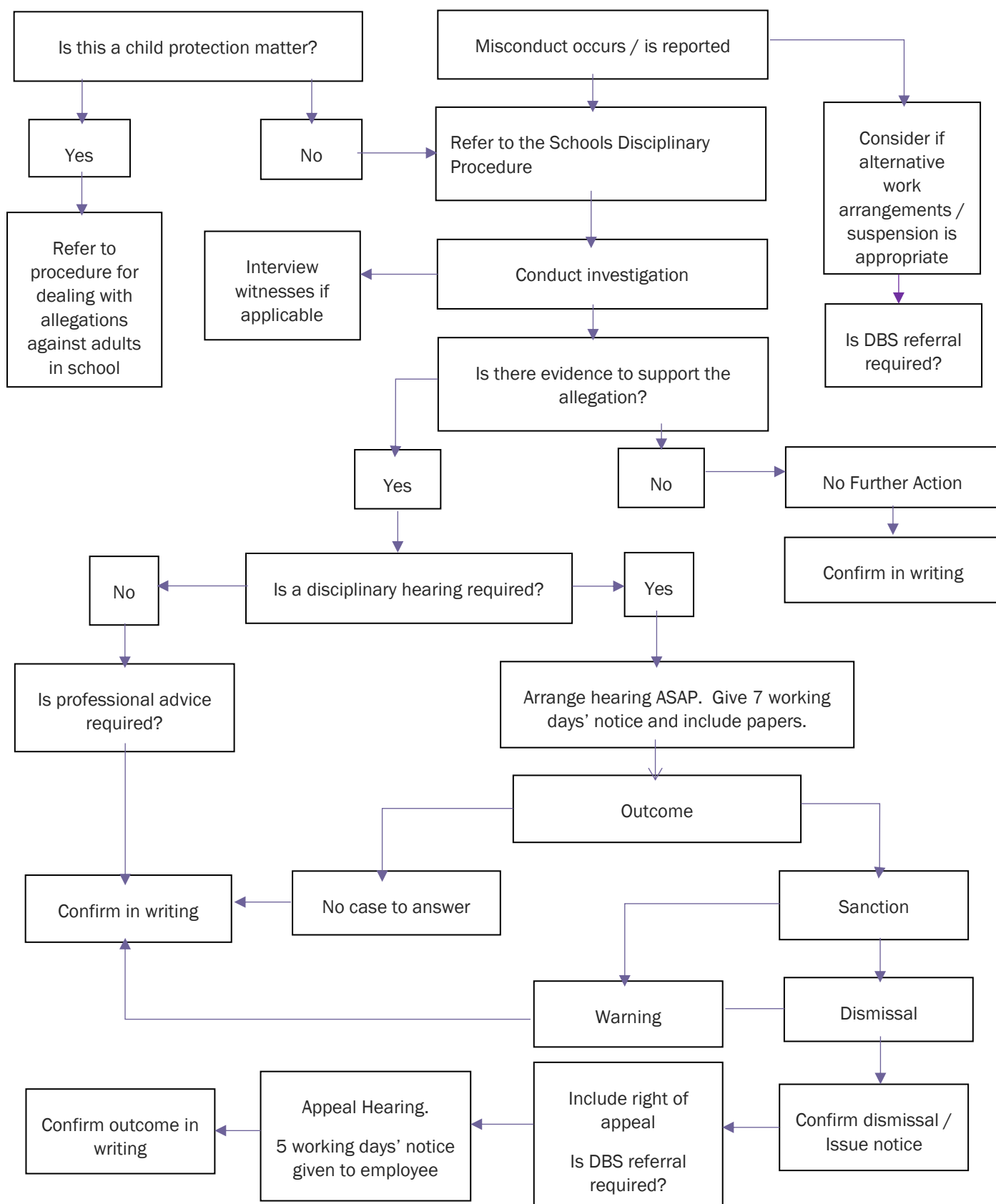
9. Support for Those Involved

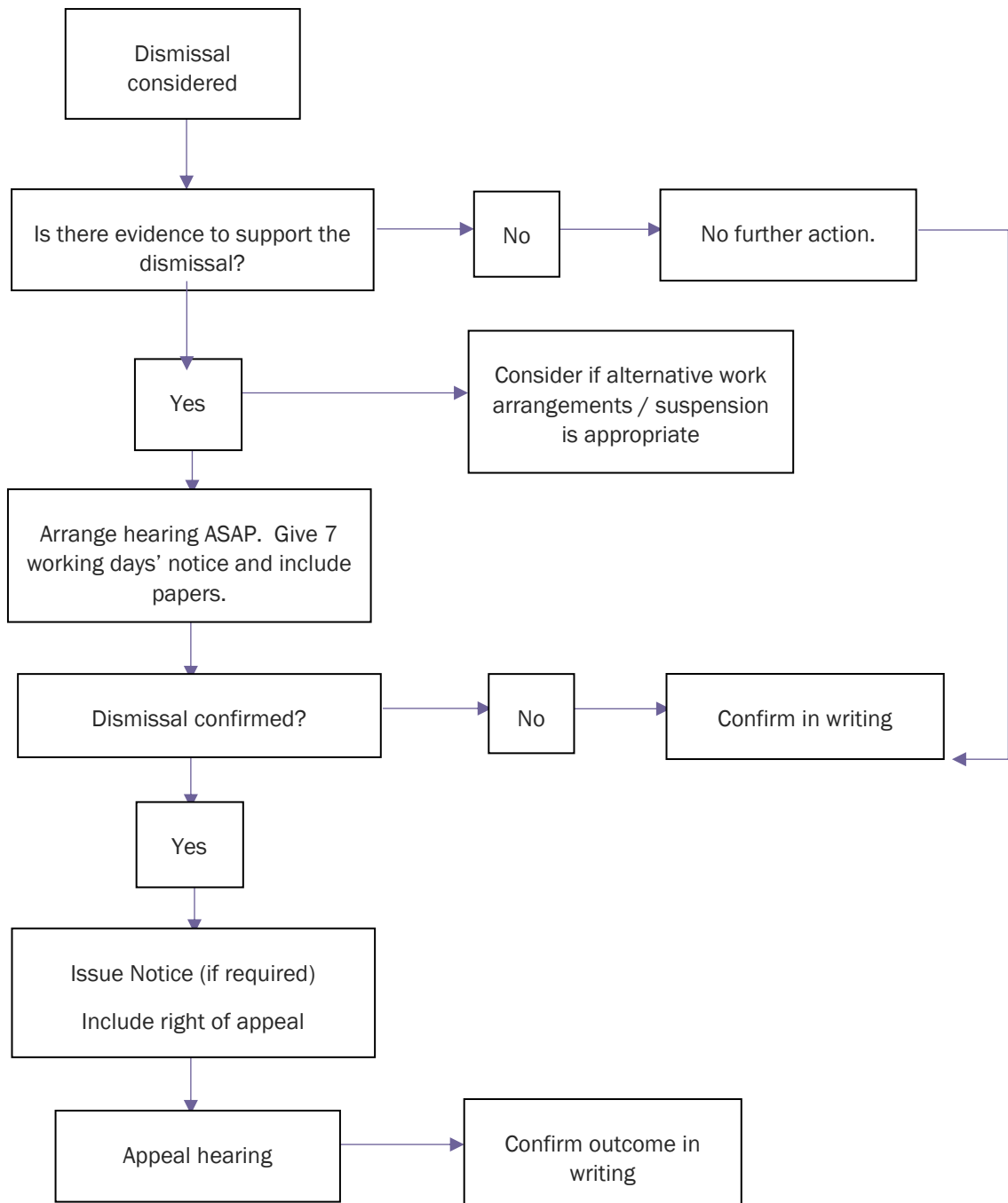
- Allegations handled fairly, promptly, and confidentially
- Updates provided throughout the process
- Employees may have union representation; others may seek professional advice
- Welfare counselling or medical advice provided if appropriate
- Named contact for ongoing communication during suspension or alternate duties

10. Confidentiality and Legal Compliance

- Strict confidentiality maintained at all times
- Information shared as required with statutory agencies (LADO, Police, Social Care, DBS, TRA)
- Reporting restrictions under Education Act 2002 apply until charge or official publication
- Breach of confidentiality may be considered a disciplinary matter

Appendix A – Disciplinary Procedure



Appendix B – Other Dismissals Procedure

Appendix C – Disciplinary Rules

Listed below are the types of issues which could result in disciplinary action being taken. The lists are neither exclusive nor exhaustive and there may be actions which do not appear but may nevertheless be the subject of disciplinary action.

Examples of misconduct/serious misconduct

In determining the seriousness of the misconduct, particular regard will be given to the circumstances of the individual case. Factors which can influence a decision as to the seriousness of the offence may include:

- The type, degree and frequency of the misconduct
- The consequences arising from the misconduct, and
- The level of responsibility of the employee concerned

Careful consideration will be given to the above factors in each case. There may be situations where misconduct which would normally lead to summary dismissal may warrant a lesser sanction. Similarly, there may be situations in which misconduct which would not normally lead to dismissal warrants such action.

Attendance and Time-keeping

- Continuing failure to comply with attendance and time-keeping requirements
- Continuing failure to follow procedures for booking and returning from leave
- Absenteeism and unauthorised absence from the workplace

Behaviour

- Refusal or failure to follow a legitimate management instruction
- Inappropriate behaviour or abuse of authority towards a colleague or member of the public or person in the care of the school/academy
- Insubordination
- Failure to comply with policies and procedures
- Abuse of the policies and procedures
- Conduct at work which is likely to offend decency
- Conduct which could bring the employer into disrepute
- Misuse of facilities

Poor Working Practices

- Failure to maintain proper records
- Failure to follow procedures e.g., financial regulations, standing orders
- Failure to comply with health and safety requirements

General

- Misconduct in relation to official documents e.g., destroying or mutilating records, altering/erasing or adding to entries without legitimate reason
- Neglect of health e.g., committing an act or adopting conduct which may impede recovery and return to work whilst absent from work due to sickness
- Engaging in paid employment outside the hours contracted to work without the employer's express permission

Conduct outside of the workplace which impacts on the employer, for example:

- Serious driving offences, particularly those involving alcohol or drugs
- Serious offences involving gambling

Any other act of misconduct of a similar gravity

Examples of Gross Misconduct

Gross Misconduct is defined as misconduct of such a serious nature that the employer is justified in no longer tolerating the employee's continued presence at the place of work.

- Unauthorised removal of property
- Stealing/theft from the school/academy, its governors, its employees or the public and other offences of fraud or serious dishonesty
- Sexual offences/misconduct (including serious misuse of the internet)
- Breaches of the Equality and Diversity policy, including serious acts of harassment, discrimination or verbal abuse against employees, clients or members of the public on grounds of race, sex, disability or religious belief or any other grounds
- Fighting / Physical assault / offences involving violence
- Possession of prohibited firearms, knives or other weapons
- Harming pupils (as defined by the Children's Act 1989, as amended)
- Abuse of a Position of Trust
- Establishing inappropriate relationships with children or young people, including through social networking sites
- Falsification of time sheets or subsistence/expenses claims, sickness self-certification etc.
- Other offences which seriously threaten the security of the pupils, members of the public, employees or property or which seriously damages public confidence in the employer
- Deliberate misuse of data protection information and/or deliberate interference with computerised information
- Falsification of qualifications which are a stated requirement of employment and which result in financial gain
- Malicious damage to property, arson and other major criminal damage
- Serious breaches of Health and Safety legislation and/or the Health, Safety and Welfare Policy e.g., intentional or reckless interference with or misuse of anything provided by the employer in the interests of health and safety.
- Serious drug/alcohol related offences
- Serious breaches of the policy on use/misuse of the internet/data records
- Serious breaches of the Code of Conduct
- Failure to disclose any relevant criminal offences prior to employment and any criminal convictions which occur during employment
- **Any other act of misconduct of a similar gravity.**