Allegations against staff (including low-level concerns)

Approved by: Raúl Fernández Pascual	**Last reviewed on:** June 2026
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1. Purpose

The purpose of this policy is to ensure that all concerns and allegations made against staff are managed effectively, fairly, and in a timely manner, with the welfare of children as the paramount consideration.

This policy provides a clear framework for responding to allegations that may meet the harm threshold, as well as lower-level concerns, in line with safeguarding best practice and statutory guidance. It aims to:

- Safeguard and promote the welfare of children and young people
- Ensure that all allegations and concerns are dealt with consistently, proportionately, and without delay
- Protect children from harm while ensuring staff are treated fairly and supported throughout any process
- Promote a culture of openness, accountability, and vigilance, where concerns can be raised without fear
- Support leaders in making informed, balanced decisions in managing allegations

This policy also seeks to ensure that appropriate action is taken to prevent unsuitable individuals from working with children, while maintaining confidentiality and safeguarding the rights and wellbeing of all parties involved.

2. Scope

This policy applies to all individuals working in or on behalf of the school, including:

- Permanent and temporary staff
- Supply teachers
- Volunteers
- Contractors and third-party providers

It covers:

- Allegations that may meet the harm threshold, including behaviour that may have harmed a child, indicates a risk of harm, or suggests an individual may be unsuitable to work with children
- Concerns that do not meet the harm threshold (low-level concerns), including behaviour that is inconsistent with the staff code of conduct
- Incidents occurring both within and outside of the school environment, including online conduct
- Situations where individuals or organisations are using school premises to deliver activities for children

This policy also applies regardless of whether the alleged incident took place during or outside working hours, recognising that staff conduct in all contexts may impact their suitability to work with children.

It should be read in conjunction with the school's Child Protection and Safeguarding Policy, staff code of conduct, and relevant HR procedures.

3. Overview

This policy outlines how the school manages safeguarding concerns and allegations made against staff, including those that meet the harm threshold and low-level concerns. It provides a clear, consistent framework to ensure concerns are handled promptly, fairly, and in line with safeguarding guidance.

All concerns and allegations will be taken seriously, with appropriate action taken to safeguard children while ensuring staff are treated fairly. A designated case manager will oversee each case, ensuring procedures are followed and decisions are well-informed.

The school promotes a culture of openness and accountability, where all concerns can be raised and addressed at an early stage to support effective safeguarding.

3.1 Allegations That May Meet the Harm Threshold

This section is based on 'Section 1: Allegations that may meet the harms threshold' of Keeping Children Safe in Education, Part four: Safeguarding concerns or allegations made about staff, including supply teachers, volunteers and contractors. It should also be read in conjunction with applicable Spanish national and regional safeguarding and child protection legislation and procedures, including Organic Law 8/2021, of 4 June, on the Comprehensive Protection of Children and Adolescents against Violence (LOPIVI), and the applicable safeguarding and child protection procedures in Castilla-La Mancha.

This section applies to all cases where an allegation is raised that a current member of staff, including a supply teacher, 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 they 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 – this includes behaviour taking place both inside and outside of school.

If we are in any doubt as to whether a concern meets the harm threshold, we will consult our Regional Head of Schools (RHoS). For Colegio CEDES, the harm threshold set out in KCSIE is used as an international safeguarding benchmark within the Ariston Group framework. Any action taken will also comply with applicable Spanish national and regional legislation and safeguarding procedures, including LOPIVI and the applicable procedures in Castilla-La Mancha.

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

A 'case manager' will lead any investigation. This will be the Principal, or the RHoS where the Principal is the subject of the allegation. The case manager will be identified at the earliest opportunity.

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

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

4. Approaches to Suspension

Suspension of the accused should **not** be the default position but **must** be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that there might be grounds for dismissal.

Decisions around suspension and initial steps must be taken by a collective group of leaders, which should involve the School Principal, Designated Safeguarding Lead, and Regional Head of Schools as a minimum. The Regional Head of Schools will advise and consult with the Group Head of HR to understand and agree any employment implications. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

It is important to ensure that suspension is precautionary suspension and must maintain rate of pay and all benefits during any period an employee is suspended. We should also include that the individual must be advised that suspension is for child safeguarding reasons whilst investigation is ongoing and does not mean it has been decided

they have done anything wrong. They must be advised no prejudgments or decisions have been, or will be made, until the investigation has concluded.

Based on an assessment of risk, we will consider alternatives such as:

Temporary Redeployment within the school so that the individual does not have direct contact with the child or children concerned whilst the investigation is ongoing.

Providing an assistant to be present when the individual has contact with children.

Temporarily redeploying the individual to alternative work in the school 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 Group.

5. Dealing with Allegations

In the event of an allegation that meets the harm threshold, the case manager will be aware of the following steps:

Tier 3 – response within 4 hours

1. DSL — acts immediately; full written record within 1 hour

2. Principal — informed and oversees; considers suspension

3. Regional Head of Schools — formal notification

4. Global DSL — full briefing; leads group-level response

5. Director of Education — informed

6. Regional CEO — formal written report

- Tier 4 – response within 1 hour
- 1. DSL — leads response; emergency services called if life at risk
- 2. Principal — authorises immediate suspension of staff member
- 3. Regional Head of Schools — immediate telephone call
- 4. Global DSL — full briefing; leads group-level response and statutory referrals
- 5. Director of Education — informed same day
- 6. Regional CEO — formal written report
- 7. Group CEO — notified same day. No exceptions. Group CEO to notify ExCom and Board Chair
- A. Conduct basic enquiries in line with procedures to establish the facts to help determine whether there is any foundation to the allegation before carrying on with the steps below.
    - Immediate Actions
- • Ensure the child is safe
- • Report to the DSL or Principal (or to the RHoS / Group Lead if the allegation concerns the DSL or Principal)
- • Do not inform the person against whom the allegation is made until directed
- • Record all information factually and securely

B. Discuss the allegation with the RHoS. 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.

C. Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the RHoS.

D. 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 RHoS and agreed prior to any action being taken.

E. 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 children's social care.

- If immediate suspension is considered necessary, agree and record the rationale for this with the Principal, in consultation with the DSL and Regional Head of Schools (RHoS), and in accordance with applicable Spanish employment legislation and safeguarding requirements. 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 as soon as reasonably practicable and in accordance with applicable Spanish employment legislation, 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 Principal, in consultation with the RHoS and, where appropriate, the DSL, 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 Principal, in consultation with the RHoS and DSL as appropriate, and in accordance with applicable Spanish legislation and safeguarding procedures, to initiate the appropriate action in school and/or liaise with the Police, Public Prosecutor's Office (Fiscalía), Social Services and/or other competent authorities, 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. The individual may seek advice and support from a trade union representative, professional representative or trusted colleague, as appropriate, and may access any wellbeing or support arrangements available through the school or Group.

Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know. The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against staff while investigations are ongoing, in accordance with applicable Spanish legislation and safeguarding and data protection requirements.

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 RHoS 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.

6. Additional Considerations for Supply and Contracted Staff

- If there are concerns or an allegation is made against someone not directly employed by the school, such as a supply teacher or contracted staff member provided by an agency, 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 RHoS to determine a suitable outcome.

The RHoS/ School Board will discuss with the agency whether it is appropriate to suspend the individual, or redeploy them to another part of the school, while the school carries out the investigation.

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 manager or equivalent to meetings as appropriate.

6.1 Outcome of Investigation Definitions

For the purposes of this policy and the Ariston safeguarding framework, the following definitions will be used to record the outcome of an allegation:

- 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.

6.2 Timescales

We will deal with all allegations as quickly and effectively as possible and will endeavour to comply with the following internal timescales, where reasonably practicable and subject to applicable Spanish legislation and any requirements or timescales arising from external investigations or competent authorities:

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious should be resolved within one week.
- If the nature of an allegation does not require formal disciplinary action, appropriate action should be taken within three 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 internal objectives only and may not be possible due to the circumstances and complexities of the case, applicable employment procedures, safeguarding requirements, or the involvement of the Police, Public Prosecutor’s Office (Fiscalía), Social Services or other competent authorities. 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 relevant body whether any further action, including disciplinary action, is now permissible and if so, how to proceed, taking into account information provided by the police and/or children’s services.

Conclusion of a case where the allegation is substantiated.

Where the initial investigation determines that the allegation may be substantiated in whole or in part, disciplinary proceedings should be initiated against the relevant staff member without delay.

The school will follow their usual disciplinary procedures in this regard, taking care to ensure that the appropriate process is followed in line with policy.

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 school will make a referral to the disclosure and barring service, ICPC, local police or authorities as appropriate and necessary.

If the individual concerned is a member of teaching staff, the school will consider whether to refer the matter to the Teaching Regulation Agency or appropriate local/ national authority 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 an external agency 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 Principal in collaboration with the RHoS and case manager 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 an external agency 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 school 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 Principal, RHoS, any relevant external bodies 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

8.1 Record Keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them securely 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 removed from the individual's personnel file, unless there is a lawful and justified reason for retaining relevant information in accordance with applicable Spanish legislation and data protection requirements.

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, the school will provide a copy of the relevant record to the individual, where appropriate, and may share information with the RHoS and/or competent external authorities or bodies where necessary and lawful, in accordance with applicable Spanish safeguarding, employment and data protection requirements.

Records will be retained securely only for as long as necessary and proportionate for safeguarding, legal, employment and accountability purposes, in accordance with applicable Spanish legislation, data protection requirements and the school's records retention procedures. Where a specific statutory retention period applies, that period will be followed.

9. Providing 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 information relating to substantiated allegations where relevant, necessary and lawful, in accordance with applicable Spanish employment and data protection legislation. Any information provided will be factual, proportionate and will not include unsupported opinions.

10. Case Studies and Review

After any cases where the allegations are substantiated, the case manager will review the circumstances of the case with the Principal and RHoS to determine whether there are any improvements that we can make to the school'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.

11. Historical 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 DSL, Principal and RHoS and respond in accordance with the school's safeguarding procedures and applicable Spanish legislation. Where appropriate, the matter will be referred to the Police, Public Prosecutor's Office (Fiscalía), Social Services and/or other competent authorities.

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. Where the information indicates that a child may currently be at risk, or where there is a safeguarding or legal duty to report, the school will also take the appropriate safeguarding action and contact the competent authorities.

12. Concerns That Do Not Meet the Harm Threshold

This section is based on 'Section 2: Concerns that do not meet the harm threshold' in Keeping Children Safe in Education, Part four: Safeguarding concerns or allegations made about staff, including supply teachers, volunteers and contractors.

This section applies to all concerns (including allegations) about members of staff, including supply 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 and Responses

The term ‘low-level’ concern is any concern – no matter how small – that an adult working in or on behalf of the school may have acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct inside and outside of work.
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to an external 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 students.

13.1 Responding to Low-Level Concerns

Tier 1

1. DSL — initial receipt, log, and assessment.
2. Principal — informed; no formal action required at this stage.
3. Regional Head of Schools — monthly review only.

Tier 2

1. DSL — assess and investigate.
2. Principal — informed and s/he should appoint a senior member of staff (normally, deputy/Head of Section with relevant L3 training) to lead an internal investigation.
3. Regional Head of Schools — informed within 24 hours.
4. Global DSL — consulted if cross-jurisdiction guidance is needed or where there is a repeat pattern.

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 in accordance with this 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’s safeguarding system.

13.2 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 in compliance with applicable data protection legislation.
- 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 this policy.
- Retained securely for as long as necessary and proportionate for safeguarding, employment and accountability purposes, in accordance with applicable Spanish data protection legislation and the school's records retention procedures.

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.

13.3 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 RHoS and is found to be substantiated; and/or
- The concern (or group of concerns) relates to issues which would ordinarily be relevant to an employment reference, such as misconduct or poor performance.

Any information included in a reference will be factual, relevant, proportionate and shared only where lawful and appropriate, in accordance with applicable Spanish employment and data protection legislation.

14. Related Policies

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

- Online Safety Policy.
- Social Media Policy.
- Data Protection Policy.
- Child Protection and Safeguarding Policy.