



REACHING OUTCOMES USING TAILORED EDUCATION & SKILLS

MANAGING ALLEGATIONS POLICY 2024

Approved by:	Mr Daniel Luford (Director) Mr Nick Lyons (Director)	Date: 01/04/23
Last reviewed on:	Interim Review 31/03/24 by Nick Lyons (Director)	
Next review due by:	31/03/25 (reviews may take place in response to safeguarding concerns)	

Allegations of abuse against Routes Learning staff

1. All staff should have an awareness of safer working practices which minimise the risk of allegations being made against them. Such safer working practices are informed by latest guidance from the Safer Recruitment Consortium.

2. Routes Learning's policy for dealing with allegations of abuse against a member of staff follows the guidance given in [KCSiE Part Four](#). We recognise that some allegations relate to behaviour which meets the 'harms threshold' whilst others do not, but still require consideration as 'low level concerns'. Routes Learning aims to deal with all concerns in a timely manner, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation. If we are in any doubt as to whether a concern meets the harm threshold, we will consult the LADO.

3. Part 4 of KCSiE recognises that an individual's behaviour outside of school might make them unsuitable to work with children. This is known as transferable risk and is also covered within Routes Learning's policy

4. Whistleblowing: If a tutor has safeguarding concerns which relate to another tutor, it will be raised with the directors. If there is a concern regarding one of the directors, it will be raised directly with the LADO. Tutors may access the [NSPCC Whistleblowing Advice Line](#). Tutors who raise genuine concerns about other tutors or directors, that require external intervention (and that could not achieve an internal resolution), have a right to privacy, and support and will in no way be penalised. As a commercially run tutoring service, concerns relating to finance are not relevant to whistleblowing procedures

5. These are the definitions used for allegations 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
- 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. Procedure for dealing with allegations against tutors. A 'case manager' may be identified to deal with allegations:

- Conduct basic enquiries 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.
- Discuss the allegation with the 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 case manager may, on occasion, consider it necessary to involve the police *before* consulting the LADO, 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 LADO 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 LADO (and the police or children's social care services, where necessary). Where the police and/or 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 Routes Learning is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the LADO, police and/or 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 children's social care

- If immediate suspension is considered necessary, agree and record the rationale for this with the LADO. 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 Routes Learning 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 LADO 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 LADO to initiate the appropriate action for Routes Learning and/or liaise with the police and/or 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 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 tutors (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a tutor 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 Tutor)
- 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

7. Suspension 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 case is so serious that it might be grounds for dismissal. In such cases, the tutor will stop supporting young people. Routes would not be able to provide any alternative work whilst the investigation was taking place. Tutoring sessions would cease for the duration of the investigation. If cleared, the tutor could be re-deployed, depending on the needs of Routes Learning, but would not have contact with the child or young person who made the allegation.

8. Routes Learning will deal with any allegations as quickly and effectively as possible, and will endeavour to resolve the issue within the following timescale:

- Any cases where it is immediately clear that the allegation is unsubstantiated or malicious will be resolved within one week
- Any cases which do not require formal disciplinary action will be acted upon 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

9. If an allegation is unsubstantiated, unfounded, false or malicious, the DSL and directors will consider the appropriate next steps. If it is considered that the child or young person who made the allegation is in need of support, or if the allegation was a 'cry for help', a referral to CSCS may be made. Routes Learning will consider whether any disciplinary action is appropriate to take against the person that made it.

10. Routes learning will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being considered. Advice will be taken from the LADO, the police and/or SCSC in order to agree who needs to know about the allegation and what information can be shared. Speculation by any party will be minimised, with parents of children or young people involved made aware of their responsibilities. Careful thought will be given about how to manage press intrusions.

11. Non-recent allegations can be reported, no matter how long ago the abuse is alleged to have occurred. Any non-recent allegations made by a child or young person will be reported to the LADO, in line with the LA's procedures for reporting non-recent allegations. Where an adult makes an allegation to Routes Learning that they were abused by a child, we will support them appropriately and advise the individual to report the allegation to the police.

Low-level concerns

These are concerns about anyone who works with or for Routes Learning, that do not meet the 'harm threshold' in [part 4 of Keeping Children Safe in Education](#). Further, detailed information about low-level concerns is given in detail in this document. Low-level concerns about individuals may arise through, for example, suspicion, complaints, safeguarding concerns from another tutor, a disclosure made by a child, parent or other adult outside Routes Learning or pre-employment vetting checks. Any concerns such as these, no matter how small, will be investigated in a timely manner.

Routes Learning recognises the importance of creating a culture of openness, trust and transparency so that all tutors feel able to confidentially share low-level concerns. Tutors will understand what appropriate behaviour looks like and will feel empowered to share any concerns or to self-refer. Any unprofessional behaviour, whether intentional or not, will be addressed swiftly and the individual will be supported to correct it at an early stage. Any concerns raised will be handled in a proportionate and sensitive way, and the safeguarding protocol at Routes Learning will be reviewed regularly to identify any weaknesses.

Supervision of tutors and staff meetings will give tutors to discuss low-level concerns, which would be monitored appropriately. The directors will be the ultimate decision-makers in respect of all low-level concerns. The LADO may be consulted to decide on if any further action is required

Record keeping and references

Clear records of allegations made and outcomes will be retained confidentially, and will be stored on the individual's confidential personnel file for the duration of the case. These will include a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and notes of any actions taken, and decisions reached.

If an allegation or concern is not found to have been malicious, Routes Learning will retain the records of the case on the individual's confidential personnel file and provide a copy to the individual. False or malicious allegations will be deleted from the file.

Records containing information about allegations of sexual abuse will be preserved for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We 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. The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

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 will comply with the DPA 2018 and UK GDPR. They will be reviewed so that any patterns of concerning or problematic behaviour can be identified. In this case, a suitable course of action will be decided upon, in consultation with the LADO as necessary.

When providing employer references, Routes Learning will not refer to any allegation (or repeated allegations) that has been found to be false, unfounded, unsubstantiated or malicious. Substantiated allegations, provided that the information is factual and does not include opinions, will be included. Low-level concerns will not be included in references, unless the concern(s) met the threshold for referral to the LADO and was found to be substantiated, or unless the concern(s) relates to issues which would ordinarily be included in a reference, such as poor performance.

Learning lessons

After any cases where allegations are substantiated, the circumstances will be reviewed with the LADO to determine whether there are any improvements that can be made to Routes Learning's procedures or practice, to help prevent similar events in the future.