



Five Education Allegations Policy

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This policy has been updated for Keeping Children Safe in Education 2026 and Working Together to Safeguard Children 2026. It is written for Five Education as an education recruitment and supply agency and should be read alongside the Safeguarding Children Policy, Safer Recruitment Policy, Code of Conduct, Whistleblowing Policy, Complaints Policy and disciplinary/compliance procedures.

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Five Education is committed to safeguarding children and adults at risk and to responding promptly, fairly and consistently when concerns are raised about the conduct or suitability of anyone working through, for, or on behalf of Five Education.

This policy applies to directors, internal staff, candidates, temporary workers, supply staff, trainee teachers where relevant, contractors, work placements and volunteers where Five Education has responsibility for their recruitment, engagement or supply.

For allegations concerning a person working with children, Part A applies and is aligned to Part Four of Keeping Children Safe in Education 2026 and Working Together to Safeguard Children 2026. Adult safeguarding concerns follow the separate route in Part B. Where a matter concerns both children and adults at risk, both routes may need to operate in parallel.

Employment grievances, complaints about service quality, and safeguarding allegations are distinct. A matter should be routed according to its substance, not simply the label used by the person raising it. Safeguarding concerns must not be downgraded into a grievance or complaint where the safeguarding threshold may be met.

Part A - Concerns and allegations relating to people who work with children

1. Two levels of safeguarding concern

Five Education distinguishes between:

Concerns or allegations that may meet the harm threshold and require consideration under the formal allegations procedure; and

Concerns that do not meet the harm threshold, referred to as low-level concerns.

Any concern about an adult who works with children must be reported without delay in accordance with this policy. A person raising a concern is not expected to prove that harm has occurred before reporting it.

2. Low-level concerns

2.1 Definition and examples

A low-level concern is any concern, however small, that an adult working in or on behalf of a setting may have acted in a way that is inconsistent with the



expected code of conduct, including conduct outside work, but where the information does not appear to meet the harm threshold.

Examples may include being over-friendly with children, showing favouritism, taking photographs on a personal device contrary to policy, unnecessary one-to-one contact in secluded areas, humiliating a child, boundary concerns, inappropriate communication, or conduct that creates a reasonable sense of unease. A low-level concern can arise from observation, a complaint, a disclosure, a self-referral, online information, vetting information or another source.

2.2 Reporting and supply staff

Low-level concerns about Five Education candidates should be reported to the placement in accordance with that setting's procedures and notified to Five Education promptly. Schools and colleges are expected to notify the employer of low-level concerns about supply staff and contractors so that potential patterns can be identified across placements.

Five Education will record low-level concerns about candidates and will review them collectively, including concerns from different placements, to identify any pattern of inappropriate, problematic or concerning behaviour.

2.3 Responding to a low-level concern

Where a low-level concern arises within a school or college, Five Education will coordinate with the setting before conducting its own enquiries. This is to avoid duplicating or compromising the setting's safeguarding process or any potential LADO, police or children's social care involvement.

Where Five Education is appropriately placed to make enquiries, it may gather information from the person who raised the concern, the candidate and relevant witnesses. The purpose is to understand and categorise the behaviour and decide what action is appropriate, not to conduct a child protection investigation.

If at any stage there is doubt about whether the information may meet the harm threshold, the relevant LADO/local authority allegations management route should be consulted without delay.

2.4 Recording, patterns and references

All low-level concerns will be recorded in writing. The record should include the concern, the context, action taken, decisions and rationale, and the identity of the person sharing the concern unless anonymity is requested and can reasonably be respected.

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Records must be confidential, securely held and processed in accordance with the Data Protection Act 2018, UK GDPR and the Data (Use and Access) Act 2025. Five Education will retain low-level concern information for as long as is necessary to manage ongoing suitability, identify patterns and meet legal or contractual obligations.

Low-level concerns should not normally be included in references unless they relate to matters that would ordinarily be included, such as misconduct or poor performance. A group or pattern of concerns that reaches the harm threshold will be managed under the formal allegations procedure.

3. Concerns or allegations that may meet the harm threshold

The formal allegations procedure applies where information suggests that a person working with children may have:

- harmed a child or created a risk that a child may have been harmed;
- possibly committed a criminal offence against or relating to a child;
- behaved towards a child or children in a way that suggests they may pose a risk of harm; or
- behaved, including outside work, in a way that may indicate they are unsuitable to work with children.

The final category includes transferable risk - behaviour outside a school or college that may nevertheless be relevant to suitability to work with children. Where appropriate, Five Education will assess transferable risk and seek LADO advice if there is uncertainty.

Where concerns suggest risk to other children, including children in the person's family or community, this must also be considered and may require referral to local authority children's social care.

4. Initial response and LADO involvement

Any allegation that may meet the harm threshold must be reported immediately to a Director, Manager or the Designated Safeguarding Lead at Five Education. Where the allegation arises in a school or college, the setting should also be informed through its safeguarding/allegations route.

Where a child has been harmed, may be at immediate risk, or the situation is an emergency, local authority children's social care and/or the police should be contacted immediately. Internal reporting must not delay emergency action.

The relevant LADO or local authority allegations management route must be informed without delay and within one working day where the harm threshold

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may be met. The relevant route will normally be the one applicable to the setting or place where the person works or volunteers, subject to local procedures.

Before LADO advice is obtained, Five Education should limit activity to basic fact-finding needed to establish the nature and context of the concern. The candidate, child and witnesses should not be subjected to a substantive investigative interview by Five Education where doing so could compromise a safeguarding, police or social care investigation.

The person who is the subject of the allegation should not be informed of details until the implications for any police, social care or LADO process have been considered and the timing has been agreed with the appropriate agencies.

4.1 Concerns about the Designated Safeguarding Lead or a Director

Where a concern or allegation relates to the Five Education Designated Safeguarding Lead, it must be reported to the Deputy Designated Safeguarding Lead, and vice versa. Where a concern relates to a Director, or where the person raising it reasonably considers that reporting it internally would be inappropriate, it may be reported directly to the LADO for the relevant local authority, or to the placement's Designated Safeguarding Lead, without first raising it with Five Education. No one will be disadvantaged for raising a genuine concern by this route, and the Five Education Whistleblowing Policy applies.

5. Supply teachers, trainee teachers and contracted staff - shared responsibilities

Where an allegation concerns a candidate who is not directly employed by the school or college, the setting and Five Education share safeguarding responsibilities.

The school or college will normally remain responsible for gathering the facts and managing the safeguarding process because it has direct access to the child, witnesses and setting records. Five Education will work closely with the setting and will usually lead its own employment, engagement or disciplinary decision-making in relation to the candidate.

Five Education will:

- be fully involved in the allegations process and cooperate with enquiries by the LADO, police and local authority children's social care;
- attend relevant meetings where invited and provide information necessary for a fair and complete safeguarding assessment;

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- review and disclose, where lawful and relevant, previous allegations, low-level concerns or other safeguarding information known to Five Education, including information arising from other placements;
- coordinate any employment or disciplinary action so that it does not compromise the safeguarding investigation;
- consider whether the candidate should be suspended from assignments or whether another risk-management step is appropriate; and
- consider any statutory DBS, TRA or other regulatory referral duties.

A school or college must not treat simply ending a booking as the safeguarding outcome. Likewise, Five Education will not treat the end of an assignment or the candidate ceasing to accept work as bringing the allegations process to an end.

Where the concern relates to a trainee teacher placed in a school or college, the same safeguarding approach applies. The relevant teacher training provider should be involved and is expected to follow the same type of procedures as a supply agency.

6. Five Education responsibilities and multi-agency working

Five Education will work collaboratively with schools, colleges, local authorities, the LADO, police, children's social care, teacher training providers and other relevant organisations. Safeguarding allegations must not be managed in isolation where another body holds information necessary to assess risk.

Historical or non-recent allegations will be treated seriously and considered in the same child-safeguarding framework. Five Education will consider whether the individual is currently working with children and what information needs to be shared with a current employer, client or safeguarding body.

Criminal, child-protection and employment/disciplinary processes may run in parallel. A decision by police not to charge or prosecute does not automatically prevent Five Education from taking disciplinary, suitability or regulatory action, because the purpose and evidential tests of those processes differ.

7. Procedure when Five Education is managing its employment/disciplinary process

7.1 Initial actions

Five Education will record the allegation, who raised it, when it was received, the context, immediate safeguarding action, discussions with the

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setting/LADO and the reasons for decisions made. Written information should be signed or attributable wherever practicable.

Five Education will agree with the setting and/or LADO who is responsible for each part of the process, including who will communicate with the child and family, who will support the candidate, who will gather evidence and how information will be shared.

7.2 Enquiries and investigation

Where the LADO and relevant agencies determine that a school, college, police, children's social care or independent investigator should investigate, Five Education will cooperate and will not run a competing investigation that could prejudice that process.

Where Five Education is required to carry out an employment investigation, it will do so fairly, proportionately and independently, taking account of information supplied through the safeguarding process and giving the candidate an appropriate opportunity to respond when it is safe and appropriate to do so.

7.3 Risk to others

Five Education will consider whether the concern creates risk to children at other placements, children in the community or family members, or adults at risk. Where necessary, additional safeguarding referrals or information sharing will be undertaken.

8. Information sharing, confidentiality and reporting restrictions

Information will be shared lawfully, securely and on a need-to-know basis. Five Education will record what information was shared, with whom, why it was necessary and proportionate, and any decision not to share.

Where appropriate, the person subject to the allegation should be told what information will be shared and with whom, unless doing so could place a child or another person at risk, prejudice an investigation, lead to evidence being destroyed, or conflict with advice from the LADO or police.

Confidentiality must be maintained as far as possible. Staff and candidates must not discuss allegations outside authorised processes or post information about them on social media.

Specific legal reporting restrictions may protect the identity of a teacher who is the subject of an allegation made by or on behalf of a pupil. Where these



restrictions apply, no person should publish information that could identify the teacher until the restriction ends or is lawfully lifted.

Ofsted, CQC or another regulator will only be notified where the relevant setting/provider or Five Education has a specific statutory or regulatory notification duty. This policy does not treat every allegation as automatically reportable to a regulator.

9. Support and suspension

9.1 Support for the child and family

The school or other body with direct responsibility for the child will normally lead communication and support for the child and family. Five Education will cooperate with agreed arrangements and remain impartial while the allegation is being considered.

9.2 Support for the person subject to the allegation

The candidate or staff member should be treated fairly and with respect, kept appropriately informed, advised that they may seek support from a trade union or professional association, and offered a named point of contact where practicable. Support arrangements must not compromise the investigation.

9.3 Suspension or temporary removal from work

Suspension or removal from assignments must not be automatic. All reasonable alternatives should be considered first. The decision should take account of the risk to children, the seriousness of the allegation, the views of the LADO and other agencies where involved, and whether alternative controls can manage the risk.

The reasons for suspension or another restriction, and the alternatives considered, must be recorded. Where a teacher is subject to an interim prohibition order, Five Education will ensure they do not carry out teaching work in breach of that order.

10. Allegation outcomes and next steps

The following outcome categories will be used:

Outcome	Meaning
Substantiated	There is sufficient evidence to establish the allegation.

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Malicious	There is sufficient evidence to disprove the allegation and evidence of a deliberate act intended to deceive or cause harm to the person subject to the allegation.
False	There is sufficient evidence to disprove the allegation.
Unsubstantiated	There is insufficient evidence to prove or disprove the allegation; this does not imply guilt or innocence.
Unfounded	There is no evidence or proper basis supporting the allegation.

The final decision may range from no further action to training, management action, disciplinary action, termination of engagement, a decision not to use the person's services again, or statutory/regulatory referral. The outcome and rationale must be recorded.

Where an allegation is unsubstantiated, unfounded, false or malicious, Five Education and the relevant safeguarding bodies should consider whether the person who made the allegation, including a child, may require help or protection for another reason.

11. Resignations, assignment endings and settlement agreements

Five Education will not stop an allegations process merely because a candidate resigns, an assignment ends, the person ceases to accept work, or they refuse to cooperate. Wherever reasonably possible, the process will continue to a conclusion based on the available evidence.

A settlement or other agreement must not be used to avoid a safeguarding investigation, disciplinary process or statutory referral where the person may pose a risk of harm or may be unsuitable to work with children. Five Education will not agree terms that prevent a required DBS, TRA or other regulatory referral.

12. Record keeping

For allegations that meet or may meet the harm threshold, Five Education will keep a clear and comprehensive record including:

- a summary of the allegation;
- how the allegation was followed up and resolved;

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- actions taken and decisions reached;
- the final outcome category and the rationale for it; and
- whether information should be referred to in any future reference, where applicable.

Records of allegations should normally be retained at least until the person has reached normal pension age or for 10 years from the date of the allegation, whichever is longer. Records found to be malicious or false should be removed from personnel records unless the individual gives consent for the information to be retained. Other lawful retention requirements may apply.

Records will be kept confidential, securely stored and handled in accordance with data protection laws and Five Education's retention arrangements.

13. References

References must be factual, accurate and fair. Allegations found to be false, unfounded, unsubstantiated or malicious will not be included in employer references. Repeated concerns that have all been found to fall into those categories will also not be included.

Substantiated safeguarding allegations that meet the harm threshold should be included where relevant and should be described factually. Low-level concerns should not be included unless they relate to matters that would normally be included in a reference, such as misconduct or poor performance.

14. DBS referrals

A substantiated allegation does not by itself automatically mean that a DBS referral must be made. Five Education will apply the statutory referral test.

Five Education must make a DBS referral where it removes a person from regulated activity, or would have removed them had they not left, and it believes the relevant statutory criteria are met, including relevant conduct, the harm test, or a relevant automatic-barring offence. The duty applies to paid workers and volunteers who were engaged in regulated activity.

A referral may be required where a person is suspended, redeployed away from regulated activity, dismissed, resigns or ceases to volunteer, provided the statutory criteria are met. Five Education will provide the DBS with as much relevant information as reasonably available.

15. Teaching Regulation Agency and other regulator referrals

Where Five Education is the employer or agency of a teacher and dismisses, ceases to use, or would have ceased to use the teacher's services because of

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serious misconduct had they not left first, Five Education must consider whether to refer the case to the Secretary of State through the Teaching Regulation Agency. This is separate from any DBS referral.

Where the person is regulated by another professional body, such as Social Work England, Five Education will consider any relevant referral obligation. Notifications to Ofsted, CQC or other regulators will be made only where the applicable legal or regulatory criteria are met.

16. Learning lessons

At the conclusion of an allegation, Five Education will review the case with the LADO, setting or other relevant organisations where appropriate. The review should consider whether policies, recruitment controls, placement arrangements, staff conduct expectations, supervision, training, information sharing or record keeping need to change.

Learning will be communicated to relevant staff in an appropriate way while preserving confidentiality. Where a policy or procedure change is identified, it should be implemented promptly.

Part B - Concerns relating to adults at risk

17. Adult safeguarding route

KCSIE and the LADO process are child-safeguarding arrangements. Where an allegation concerns harm or risk to an adult with care and support needs, Five Education will follow the applicable adult safeguarding framework, including local authority safeguarding adults procedures under the Care Act 2014 and any relevant police or regulator process.

Adult safeguarding concerns should be reported immediately to a Director, Manager or the Designated Safeguarding Lead. Where there is immediate danger or suspected criminal conduct, emergency services/police should be contacted without delay and the relevant local authority adult safeguarding team should be notified as appropriate.

If the same individual also works with children, or the information indicates a possible risk to children, the child allegations route in Part A must also be considered. Conversely, a child LADO process should not be used as a substitute for the appropriate adult safeguarding process.

Where a regulated care provider has a specific duty to notify CQC or another regulator, Five Education will cooperate with that notification and make any direct notification required of Five Education. Regulatory notifications are not automatic merely because an allegation has been raised.

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18. Appendix - legislation and guidance

This policy is informed by the following legislation and guidance. The most current version should always be used:

Legislation / guidance	Relevance
Keeping Children Safe in Education 2026	Part Four - safeguarding concerns or allegations about staff, including supply teachers, trainee teachers, volunteers and contractors; Part Three - DBS and TRA referral duties.
Working Together to Safeguard Children 2026	Local authority designated officer arrangements and multi-agency management of allegations against people who work with children.
Children Act 1989 and Children Act 2004	Child protection, safeguarding duties and local authority responsibilities.
Education Act 2002	Safeguarding duties and teacher misconduct/prohibition referral framework.
Safeguarding Vulnerable Groups Act 2006	Regulated activity and DBS barring/referral framework.
Data Protection Act 2018, UK GDPR and Data (Use and Access) Act 2025	Handling and sharing safeguarding and employment information.
Human Rights Act 1998 and Equality Act 2010	Fair, proportionate and non-discriminatory decision-making.
Care Act 2014	Adult safeguarding framework where concerns relate to adults with care and support needs.
DBS referral guidance	Detailed statutory referral criteria and process.
Teaching Regulation Agency referral guidance	Teacher misconduct referral process.
Local safeguarding partnership / LADO procedures	Local routes, contact details and procedural requirements applicable to the setting and incident.