

Information for Persons Under Investigation via Engage Education

What is an allegation or concern?

[Working Together to Safeguard Children](#) (2023) describes concerns about a person's behaviours in the following ways:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

As well as concerns and allegations raised in a person's place of work, concerns regarding a person's conduct in their personal life may also be considered relevant, as the LADO and your employer/agency must consider the transferable risk.

Examples may include instances in which:

- A child you care for becomes the subject of child protection enquiries by Children's Social Care
- You have been the subject of a criminal investigation concerning offences against children
- You have difficulties with drug or alcohol misuse, which might impact your ability to do your job safely
- There have been allegations of abuse against a member of your household or a person closely associated with you.

Allegations considered may be current or historic. While allegations and concerns can be raised by the child, the employer, or a colleague, anybody, including members of the public, can report concerns they have about a person working or volunteering with children to the LADO.

What happens next?

When an allegation/concern is raised, Engage Education will follow the process listed below to ensure a fair and unbiased outcome. Our key concern is to ensure the protection of children, young people and vulnerable adults.

Step 1: Engage Education will request statements from the setting and candidate to gain an initial perspective on the concerns.

Step 2: Engage will assess the concerns and may do one or more of the following:

- Request further information from the candidate
- Request further information from the school
- Consult the LADO
- Make a formal referral to the LADO
- Suspend the candidate pending an investigation

Step 3: Engage will invite the candidate to an investigation meeting. This investigation will usually be held virtually; it will involve our DSL or Deputy DLS. The candidate will be given a minimum of 24 hours' notice to attend this meeting.

Step 4: Engage will allow a candidate up to 48 hours to provide further evidence or details to the DSL before a decision is made.

Will you be suspended from work?

This decision will depend on the nature of the concern as well as the input of 3rd parties involved in the process.

Concerns that Engage Education believes meet the LADO threshold will automatically result in a no-fault suspension. Engage Education reserves the right to suspend its offer of work-finding services at any time if we have a genuine concern for the welfare of children, young people or vulnerable adults. [Please see the withdrawal of service policy](#)

Your views regarding the concern/allegations

Engage Education is committed to ensuring that candidates can fully answer the concerns/allegations that have been raised against them. Candidate can offer their views at multiple points throughout the process:

1. Candidates will be asked to provide a written statement immediately after the concern has been raised; this may be provided to your placement school or be sent directly to Engage Education.
2. Candidates will be invited to attend an investigation meeting (held virtually or in person), during this meeting the candidate can offer their views on the concerns raised.
3. After the investigation meeting the candidate will be given 24/48 hours to provide further written evidence or perspective.

If you feel your views have not been represented fairly, you can contact our DSL at any time.

You have a statutory right to consult your Union representative during this process.

How long will the process take?

It is in everyone's interest that cases are dealt with thoroughly and promptly. Some cases may take longer than others due to complexity, and we are unable to offer set time frames for the completion of investigations.

The outcome of potential outcomes

After an investigation meeting has been completed and the information regarding the concerns has been assessed, it will be decided on the balance of probability if the allegation is:

Substantiated: Where there is sufficient identifiable evidence to prove the allegation.

Unsubstantiated: This is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation; the term, therefore, does not imply guilt or innocence.

Unfounded: Where there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances.

False: Where there is sufficient evidence to disprove the allegation.

Malicious: Whether wholly or in part, an allegation has been made with a deliberate intent to deceive or cause harm to the person subject to the allegation.

You will be informed of the outcome of the meeting in writing by Engage Education.

Where the LADO is involved, this decision will be made by all involved parties, and where a unanimous decision is not reached, you will be informed of this.

Where Engage Education is the only investigating body, this decision will be made by our DSL

What happens next?

If the concerns are viewed to be '**Substantiated**', Engage Education will consider one of the following next steps:

- **Training:** If we believe the incident occurred due to a lack of training, we will offer to support you as a candidate; this may
- **Verbal Warning:** If we believe the incident to be minor, and if no students were harmed
- **Written Warning:** If we believe the incident to be more serious, or if the candidate has previously had a verbal warning.
- **Final Written Warning:** If the incident is viewed to be more serious but does not meet the dismissal criteria, or if the candidate has previously received a written warning.
- **Dismissal:** Where a candidate was previously on a final written warning or where an incident is deemed substantial enough to make a referral to the DBS or TRA, this may also include multiple incidents that caused harm or had the potential to cause harm.
- A '**Substantiated**' concern will result in Engage Education sharing this information with other employers via references.

Where the outcome is not 'Substantiated', the candidate will be allowed to continue work immediately after completing the relevant return to work training.

Appeals Process

If you believe the outcome of the investigation is wrong or unfair, you have the right to appeal the decision made by Engage Education.

You can contact our Director of Education, **David Evans**, via email or post

Engage Education
4th Floor, 45 Clarendon Rd,
Watford
WD17 1SZ

david.evans@engageeducation.co.uk

In this appeal, we ask that you clearly outline:

- Why do you think the outcome is wrong or unfair? Please include as much detail as you are able to.
- What would you like to happen next? For example, you can ask that the investigation be restarted or that you wish for new evidence to be looked at.

You will have 28 days from the date of the verdict to lodge your appeal.

Useful Contacts/Links:

Engage Education - Employee Support Programme run via Education Support Partnership - 08000 856 148 (free, confidential advice on any issue, whether personal or professional); 24/7 365 days a year.

Engage Education Designated Safeguarding Lead - Joseph Raffell,
joseph.raffell@engage-education.com

Engage Education Customer Care - customercare@engage-education.com

Keeping Children Safe in Education (KCSIE) - [Click Here](#)

Working Together to Safeguard Children (2023) - [Click Here](#)

Engage Education Complaints Policy - [Click Here](#)

Engage Education Code of Conduct - [Click here](#)

NB: *This general guide does not replace any specialist advice that you may be given by a Trade Union, HR or Legal Advisor.*