

Katie Fudakowski

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Overview

Katie Fudakowski is a leading safeguarding and equalities barrister with over a decade of advocacy and advisory experience at Old Square Chambers and five years as a partner in Farrer & Co's market-leading Safeguarding Unit.

She is recognised in Legal 500 and Chambers and Partners for her work across the education and sport sectors and valued for being **'whip-smart, thoughtful and deeply knowledgeable about education law, employment law and child safeguarding'** and her **'shrewd legal acumen and fantastic client care skills.'**

Her judicial role as a Recorder in the family courts equips her to handle emotionally charged matters and vulnerable parties with authority and compassion.

Katie's practice spans five key areas summarised below. Please click on the drop-down menus for more detail on her expertise and recent (anonymised) work examples.

Safeguarding

Katie is a leading expert in safeguarding law. She advises on all aspects of the safeguarding eco system from governance, safer recruitment, policy development and the handling of allegations, and has led high-profile investigations in many different sectors. She has co-authored sector-leading guides on low-level concerns and safeguarding in sport, both widely adopted in practice.

Education

Katie acts for schools, universities and education businesses on the full spectrum of student, staff and parent issues. Her expertise includes exclusions, First Tier Tribunal disability discrimination claims, parental complaints, inspections, teacher misconduct, and Equality Act compliance. She is frequently instructed to investigate, chair or advise panels where safeguarding is central.

Independent Investigations

She specialises in sensitive investigations into safeguarding failures, bullying and discrimination, often sexual harassment and harassment on the grounds of sex. She is expert in statutory frameworks, adept at working with vulnerable witnesses, and delivers clear conclusions and practical recommendations that support culture change.

Employment

She is a discrimination and equalities specialist, regularly handling complex multiday discrimination and whistleblowing cases.. She advises institutions and individuals, and frequently acts as an investigator, panel chair or adviser in cases where safeguarding and employment law intersect.

Sport

Katie advises clubs and governing bodies on safeguarding, equality, governance and disciplinary issues. She has sat on IPC Anti-Doping and Classification Appeal Boards and is a member of the Council of Europe's panel of experts on safe sport. She is ranked in *Chambers and Partners* for Sport for her expertise in safeguarding and equality law.

Before coming to the Bar, Katie studied History at Cambridge University and

Expertise

- Education & Safeguarding
- Employment & Discrimination
- Investigations
- Sport

Recommendations

"Katie Fudakowski is an employment lawyer by métier and leads the firm's sports safeguarding work. She has magisterial expertise in the Equality Act 2010 as it applies to sports organisations." Chambers UK 2025

"Collaborating with Katie on this project has been a pleasure. She has provided a level of expertise, professional curiosity and check and challenge that has resulted in a high-quality product." Chambers UK 2025

"Katie's commercial vision is strong. Very strong." Chambers UK 2025)

"Katie Fudakowski is well respected in the field." Legal 500 2025

"Katie Fudakowski is whip-smart, thoughtful and deeply knowledgeable about education law, employment law and child safeguarding. Her advice is always thoughtful and well-considered and it is reassuring to work with her as she leaves no stone unturned." Legal 500 2025

Key contacts

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worked at the European Commission and as a legal assistant at the War Crimes Tribunal in Arusha, Tanzania

Safeguarding

She advises on all aspects of the safeguarding ecosystem from governance, safer recruitment, policy development and the handling of allegations, and has led high-profile investigations across education, sport and charities.

Katie is a leading expert in safeguarding law. She spent five years as a partner in the Safeguarding Unit at Farrer & Co, where she advised clients across the education, higher education, sport, charity, private and public sectors. This gave her unrivalled insight into safeguarding issues at every level, and together with coal-face experience on a trustee board of a charity with child beneficiaries and her judicial experience as a Recorder, uniquely positions her to expertly advise clients facing safeguarding challenges.

She regularly leads investigations and responses to allegations of abuse, both current and historical, managing communications while balancing child protection, legal, reputational, and employment considerations. Katie also conducts independent reviews and culture audits, providing strategic assessments and recommendations for change. Her cross-sector experience spans statutory guidance and regulatory inspections, including Ofsted, IICSA, and charity regulators, and she is often called upon to help organisations navigate the tensions between legal obligations and safeguarding best practice.

Katie is also a recognised thought leader in the field. She has written extensively and spoken at national and international forums. She co-authored the Farrer & Co guide *Developing and Implementing a Low-level Concerns Policy: A Guide for Organisations Which Work with Children* (widely adopted across sectors and incorporated into statutory guidance), and the LimeCulture *Best Practice Guide: Safeguarding in Sport* commissioned by Sport England and British Gymnastics.

Recent work examples include:

- Advising a major co-ed school in London in relation to criminal proceedings against a former teacher and related professional misconduct panel hearing before the TRA.
- Advising a charity responsible for the provision of PSHE materials for schools on compliance with the Equality Act and the DfE guidance on political impartiality in schools.
- Carrying out a specialist audit and due diligence in the acquisition of an education business, including analysis of compliance with UK safeguarding regulations, full audit of policies, recruitment files, record keeping, unlawful use of settlement agreements, SIR reporting to the Charity Commission and referrals to statutory agencies, and safeguarding children's data.
- Advising on safeguarding arrangements in the context of expeditions, gap year programmes, trips and other initiatives.
- Advising a major UK independent school on claims arising out of non-recent abuse, including issues surrounding insurance cover, limitation, liability, the quantification of damages and defending such organisations in court.
- Acting on behalf of clients in various modules of the Independent Inquiry into Child Sexual Abuse (IICSA).

Education

Katie knows the education sector in depth and advises schools (independent and maintained), education businesses and universities on the full spectrum of student, parent and staff issues. She has previously served as a governor in a maintained UK school.

Katie has extensive experience in pupil disciplinary matters, including school exclusions and appeals against exclusion. She also acts in special educational needs cases and disability discrimination claims before the First-tier Tribunal (Special Educational Needs and Disability), as well as in appeals to the Upper Tribunal (Administrative Appeals Chamber) and the Court of Appeal.

She is frequently instructed in parental complaints and appeals, either as an independent investigator at stage two of the school complaints process or as an independent panel chair at stage three. She also advises on regulatory inspections, including complaints and legal challenges to ISI and Ofsted, as well as on serious incident reporting and charity governance.

Katie has particular expertise in teacher misconduct cases, including referrals to the Disclosure and Barring Service (DBS) and the Teaching Regulatory Authority (TRA), and she regularly appears in professional conduct panel hearings. She advises on Equality Act compliance, including complex clash-of-rights cases and

cases concerning trans rights in educational settings.

Her work also covers inquests, including those into student suicide or sudden fatalities, as well as serious incident reviews and lesson learning reviews. She has acted in County Court claims against schools and universities for discrimination, negligence, and breach of contract. In the higher education sector, Katie is instructed in university internal disciplinary processes, where she acts variously as legal adviser to the panel, as chair, or as advocate for the student.

Recent work examples include:

- Representing a maintained school incorrectly named on an EHCP by a disabled student and advising in relation to the First-tier Tribunal process.
- Representing a university college at a high-profile inquest into a student suicide.
- Running an independent investigation for a major UK university involving allegations of bullying against very senior members of staff and related scrutiny by the Office for Students.
- Successfully representing a leading independent girls' school in a claim brought by a former pupil excluded for bullying other girls who suffered with anorexia and claimed that the sanctioned behaviour was "something arising" from this condition.
- Successfully representing a leading independent boys' school in proceedings brought against the school by a current pupil with physical impairments whose parents sought extensive changes to the school site and curriculum.
- Successfully representing a chain of independent schools in a disability discrimination claim brought against them by a former pupil with claims of indirect discrimination and failure to make reasonable adjustments in relation to teaching methods, among other things.

Independent Investigations

Katie has extensive experience managing and carrying out complex independent workplace investigations, an area that can be both challenging and sensitive for those involved. Her investigations work is informed by her ability to combine legal expertise with practical, strategic insight.

Katie has worked across a wide range of contexts and sectors: professional services, cultural, religious and sports organisations, charities and education.

She frequently conducts high-level independent investigations involving serious allegations of bullying, discrimination (including current and non-recent sexual harassment and assault) and safeguarding failures.

Her work often involves very senior individuals and requires careful navigation of statutory frameworks, organisational sensitivities and reputational risk. This breadth of experience allows her to bring a nuanced understanding of the cultural and regulatory challenges that arise in different industries, as well as the personal and organisational pressures investigations often entail.

She is skilled at drafting and working to tight terms of reference, making well-reasoned findings, and producing clear recommendations that can be implemented in practice. She is known for her ability to work sensitively with vulnerable or reluctant witnesses and to manage confidential data with the necessary vigilance and security.

Recent work examples include:

- Investigating serious career ending allegations of safeguarding failures in an early years setting. Case involved scrutiny of the applicability of the Statutory Guidance in Working Together to Safeguard Children and Keeping Children Safe in Education.
- Investigating allegations of bullying against a senior member of a religious organisation. Involved extensive witness interviews and assessment of the Guidelines for the Professional conduct of the Clergy.
- Investigating safeguarding concerns against a senior leader of an independent girls' day school in relation to his interactions with certain sixth formers, and considering whether the "harm test" had been met.
- Investigating a grievance raised by a subject teacher of a leading co-ed independent school into bullying and disability discrimination by teachers and alleged safeguarding failures.
- Investigating allegations of severe bullying and a "toxic work culture" at a Premiership football club, involving scrutiny of thousands of emails and WhatsApps and extensive witness interviews.
- Investigating allegations (including historic allegations) of sexual harassment by various female members of staff against a member of the senior management team of a world-renowned sporting body.
- Investigating allegations of sexual harassment spanning a decade

against a senior manager at a national arts organisation.

Employment

Katie is a discrimination and equalities specialist. She has particular experience in cases arising from the education, higher education and charity sectors. In cases requiring technical expertise in disciplinary or regulatory matters, Katie is a natural choice given her deep understanding of special educational needs provision, the safeguarding ecosystem, professional regulation of teachers, and internal disciplinary proceedings in educational institutions.

She is experienced in dealing with discrimination cases and whistleblowing cases, alongside standard unfair and wrongful dismissal cases. She has particular experience of dealing with cases involving allegations of disability discrimination. Katie is instructed in education discrimination cases involving universities and schools in the County Court, and acts in education discrimination cases involving schools in the First-tier Tribunal and in the Upper Tribunal.

Outside of court, Katie has expertise in representing parties at mediation, whether independent or judicial, conducting complex investigations as an independent investigator, representing parties before internal disciplinary and grievance panels, acting as an independent legal adviser to internal disciplinary and grievance panels, and acting as a chair of internal disciplinary, grievance and other panels.

Recent (anonymised) work examples include:

- Acting in a complex claim involving alleged whistleblowing by a disabled member of academic teaching staff. The case involved scrutiny of the college's statutes and ordinance documents, charity governance issues and a related independent investigation of allegations of harassment.
- Acting for a major boys' school in the UK facing consolidated employment claims of discrimination and whistleblowing from three members of staff in the same department following a restructure; the case required complex and sensitive strategy for settling the claims individually.
- Acting for an individual dismissed for gross misconduct following allegations of inappropriate touching of junior colleagues on a work night out; the case involved allegations of abuse of power and detailed scrutiny of extensive electronic evidence.
- Acting for a female individual dismissed for gross misconduct for alleged inappropriate comments in a WhatsApp conversation with her manager, where she contended that the dismissal was in fact a detriment linked to her complaints of sexual harassment by the same manager; the case required complex settlement negotiations and a careful strategic approach to ACAS conciliation and pleadings in the context of a highly vulnerable complainant with severe mental health conditions.
- Carrying out an independent investigation into allegations of harassment and safeguarding failures within an educational setting — the investigation involved several reluctant witnesses and strategic handling of sensitive personal data.

Sport

Katie has broad experience in sports law, including both contentious proceedings and advisory work. She regularly advises clubs and national governing bodies on safeguarding reviews, disciplinary proceedings, equality and governance issues.

She has particular expertise in applying the Equality Act to sport, including on transgender participation and the use of positive action measures to diversify membership. She has assisted major national sporting bodies with safeguarding reviews into both grassroots and professional clubs, and has advised widely on positive action, malicious complaints and workplace culture issues in sport.

Katie also has adjudicative experience, having served on the International Paralympic Committee (IPC) Anti-Doping and Classification Appeal Boards. She is a member of the Council of Europe's panel of experts on safe sport and has lectured on trauma-informed safeguarding practices in sport and on interviewing children during investigations.

Recent work examples include:

- Complex independent investigation into allegations of bullying and "toxic workplace culture" at a Premiership football club.
- Acting for a major sport national governing body in safeguarding disciplinary proceedings concerning coaches and players, including matters that proceeded to appeal before Sport Resolutions.
- Acting for a major membership sports organisation on efforts to diversify membership and promote women and non-white members pursuant to

the positive action provisions of the Equality Act.

- Advising on the application of the Equality Act to transgender participation and on the use of positive action measures to diversify membership and participation in sport.
- Assisting the major football regulators with safeguarding reviews into the handling of concerns by grassroots and professional clubs, including advising on disciplinary powers.
- Providing strategic advice to sports organisations on the handling of malicious complaints and allegations.

Katie Fudakowski is a member of the Council of Europe EPAS Pool of International Experts on Safe Sport, contributing expertise on safeguarding investigations, trauma-informed safeguarding practice, and child-centred safeguarding systems in sport. Her work focuses on the legal and practical issues arising from allegations of abuse and misconduct in sporting environments, including balancing procedural fairness, safeguarding risk, and athlete welfare.

Katie has contributed to a number of Council of Europe safeguarding initiatives linked to the “Start to Talk” programme, including delivering presentations on trauma-informed safeguarding practices and safeguarding investigations in sport to international policy-makers, safeguarding specialists, and sporting bodies. She spoke at the Council of Europe’s seminar on trauma-informed child safeguarding practices in sport held in Strasbourg in December 2024 and the safe sport seminar in Paris in November 2025 on conducting safeguarding investigations in sport.

Inquests & Inquiries

Katie has substantial experience acting in high-profile inquests and public inquiries involving deaths, safeguarding failures, institutional accountability, and vulnerable individuals.

She appeared at the pre-hearing review in the Lakanal House Fire Inquest, instructed by Leigh Day & Co on behalf of the Sceaux Gardens Tenants and Residents Association:
<https://www.lambeth.gov.uk/lakanal-house-coroners-inquest>

Katie acted on behalf of the Plymouth Brethren Christian Church in the Independent Inquiry into Child Sexual Abuse (IICSA):
<https://www.iicsa.org.uk/investigations/case-studies/plymouth-brethren-christian-church.html>

Her inquest work also includes acting in a high-profile inquest concerning the death of a university student involving issues relating to mental health, safeguarding, and institutional responsibility:
<https://www.judiciary.uk/prevention-of-future-death-reports/alexander-rogers-prevention-of-future-deaths-report/>

She also represented a core participant in the Post Office Horizon IT Inquiry:
<https://www.postofficehorizoninquiry.org.uk/>

Her work in inquiries and investigations frequently involves complex and sensitive evidence, reputational issues, safeguarding concerns, and the scrutiny of organisational culture and governance.

Professional Recommendations

“Katie Fudakowski is an employment lawyer by metier and leads the firm’s sports safeguarding work. She has magisterial expertise in the Equality Act 2010 as it applies to sports organisations.”

Chambers UK 2025

“Collaborating with Katie on this project has been a pleasure. She has provided a level of expertise, professional curiosity and check and challenge that has resulted in a high-quality product.”

Chambers UK 2025

“We always receive great service and expertise from Katie.”

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Legal 500 2025

“Katie Fudakowski is a former barrister with shrewd legal acumen and fantastic client care skills. She knows the private schools sector inside out and has expertise in safeguarding and discrimination law.”

Legal 500 2025

“Katie Fudakowski is a fountain of knowledge, especially as it pertains to safeguarding issues in education. When we work with her, we feel that we are in very good hands and that we are getting top-of-the-line legal advice.”

Legal 500 2024