

# Allegations against persons who work with children

*'The safeguarding policy and procedures must include an explanation of the action to be taken in the event of an allegation being made against the member of staff.'*  
EYFS statutory framework pg. 22

## **Our policy for dealing with allegations is:**

We aim to ensure all children in our care are safe from harm in nursery and outside nursery. We ensure all parents know how to make a complaint about the behaviour or actions of staff or volunteer within the setting, which may include allegations of abuse. It is essential that any allegation be dealt with quickly and consistently, in a way that provides effective protection for children and at the same time supports the staff.

## **Our procedures for dealing with allegations is:**

Anyone with concerns about a person's suitability to work with children should contact the LADO for advice and guidance. An allegation against a member of staff may arise from a number of sources (e.g. a report from a child, a concern raised by another adult in, or outside of, the organisation, or a complaint by a parent). It may also arise in the context of the member of staff and their life outside work or at home.

## **Initial action by person receiving or identifying an allegation or concern**

The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.

They should not:

- Investigate or ask leading questions if seeking clarification;
- Make assumptions or offer alternative explanations;
- Promise confidentiality, but they should give assurance that the information will only be shared on a 'need to know' basis.

They should:

- Make a written record of the information (where possible in the child / adult's own words), including the time, date and place of incident/s, persons present and what was said;
- Sign and date the written record;
- Immediately report the matter to the designated safeguarding lead (DSL) for the setting or the deputy in their absence or; where the DSL is the subject of the allegation, report to the deputy or other appropriate senior manager or director.

## **Initial action by the Designated Safeguarding Lead**

When informed of a concern or allegation, the DSL should not investigate the matter or interview the member of staff, child concerned or potential witnesses.

They should:

- Obtain written details of the concern / allegation, signed and dated by the person receiving the allegation (not the child / adult making the allegation);
- Approve and date the written details;
- Record any information about times, dates and location of incident/s and names of any potential witnesses.
- Record discussions about the child and/or member of staff, any decisions made, and the reasons for those decisions.

### The Procedure:

- The DSL must inform the local authority designated officer (LADO) **within one working day** when an allegation is made and prior to any further investigation taking place.
- We follow the guidance of the Calderdale Safeguarding Children Board when receiving an allegation of abuse against a member of staff. The staff member concerned will not be approached at this stage unless they impose an immediate risk to the children.
- The LADO will discuss the allegation with the DSL, and where necessary obtain further details of the allegation and the circumstances in which it was made. They will also consider whether there is enough evidence that establishes that the allegation is false or there is not enough evidence, or whether disciplinary action is appropriate.
- The LADO will advise the DSL whether or not informing the parents of the child/ren involved will impede the disciplinary or investigative processes. Acting on this advice, if it is agreed that the information can be fully or partially shared, the employer should inform the parent/s. In some circumstances, however, the parent/s may need to be told straight away (e.g. if a child is injured and requires medical treatment).
- If the allegation is found to be true and there is reasonable cause to suspect that abuse did take place or is taking place, then the LADO will immediately refer the matter to Children's Social Care Services and arrange for Strategy Discussion to be held within one working day of the referral. In the event of a Strategy Meeting being held, then this should occur as soon as possible and will include the LADO (usually as chair) and the Designated Safeguarding Lead.
- The named DSL, **Lucy Pottinger**, must cooperate fully in any investigation carried out by the LADO and Children's Social Care in conjunction with the police.
- If the LADO and Children's Social Care Services agree that in the circumstances the Nursery Manager should suspend the staff member in question. This is not an indication that abuse has taken place, but it is to protect the staff as well as children and families throughout the process.
- Ofsted will be notified regarding the allegation as soon as is reasonably practical, **but at least within 14 days of it occurring**.

The Safeguarding Children Board procedures and guidelines can be accessed at [safeguarding.calderdale.gov.uk](http://safeguarding.calderdale.gov.uk)

Referrals to LADO and reporting concerns can be found in the Safeguarding and Child Protection Guidance Folder.

LADO Contact details: 01422 394055 and email: [ladoadmin@calderdale.gov.uk](mailto:ladoadmin@calderdale.gov.uk)

This policy will be reviewed by management annually, who are responsible for ensuring the dissemination of this policy to all staff, volunteers and parents.