



## **MANAGING ALLEGATIONS AGAINST STAFF AND VOLUNTEERS WORKING WITH CHILDREN AND YOUNG PEOPLE**

### **November 2010**

#### **1. SAFEGUARDING ENVIRONMENTS**

1.1 All organisations should be proactive in reducing the risk of child abuse taking place within the services they provide by:

- Developing a safeguarding ethos in which children and staff can express their concerns; where staff are encouraged to challenge poor practice constructively; and where 'whistle-blowing' procedures can be engaged without fear. This means that safeguarding policies and procedures are accessible to all and that there are means for communication and access to skilled advice, both internal and external to the organisation.
- Adopting safe recruitment and effective safe termination of employment practices.
- Ensuring that all staff receive appropriate training in child protection: signs, symptoms and referral procedures, which include how to recognise and respond to allegations against staff.
- Ensuring that staff understand what is safe practice and what is not. In particular, staff must be aware of behaviours that are likely to bring about criminal, child protection or disciplinary action. All staff therefore, should be provided with clear and relevant codes of conduct.
- Ensuring that vulnerabilities expressed by staff are taken seriously and responded to at the earliest stage.
- Ensuring that risk assessments following allegations are undertaken to reduce the likelihood of repetition.

1.2 A failure to report an allegation or concern in accordance with the following procedures is a potential disciplinary matter.

1.3 Staff and volunteers are also strongly advised to report any incident, involving themselves that could give rise to concern, including the potential for misinterpretation by others.

#### **2. SCOPE**

2.1 These procedures are based on the framework for dealing with allegations of abuse made against a person who works with children, detailed in Chapter 6 and Appendix 5 of Working Together 2006. They should be followed by all organisations providing services for children and young people

2.2 Compliance with these procedures will help to ensure that allegations of abuse are dealt with expeditiously; consistent with a thorough and fair process for all concerned.

2.3 These procedures should be applied when there is an allegation or concern that any person who works with children, in connection with his/her employment or voluntary activity, has:

- 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 s/he is unsuitable to work with children.

2.4 These behaviours should be considered within the context of the four categories of abuse i.e. physical, sexual, emotional abuse and neglect as defined in Working Together 2006. These include concerns relating to inappropriate relationships between members of staff and children or young people e.g:

- Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual
- 'Grooming' i.e. meeting a child under 16 with intent to commit a relevant offence
- Other 'grooming' behaviour giving rise to concerns of a broader child protection nature e.g inappropriate text/e-mail messages or images, gifts, socialising etc
- Possession of indecent photographs/pseudo-photographs of children

2.5 References to 'staff' should be read as including all staff, whether in a paid or voluntary capacity.

### **3. ROLES AND RESPONSIBILITIES**

#### **3.1 Named Senior Officers**

Each BSCB member organisation should identify a named senior officer with overall responsibility for:

- Ensuring that the organisation deals with allegations in accordance with these procedures
- Resolving any inter-agency issues
- Liaising with the BSCB on the subject
- Ensuring that information is collated in accordance with the requirements of the Allegations against Children's Workforce Sub Committee and regularly made available to that Sub Committee.
- When required, also ensuring that relevant data is made available to the Safer Employment Sub Committee.

3.2 The Allegations against Children's Workforce sub committee for BSCB takes lead responsibility for co-ordinating the strategic response of member organisations in the management of allegations against staff and volunteers. This Sub Committee will operate to ensure that agreed standards in managing allegations are communicated across the County, and that mechanisms are in place to ensure effectiveness and consistency in practice.

#### **3.3 Local Authority Designated Officers (LADOs)**

Buckinghamshire's Local Authority has officers in place with specific responsibility for:

- Being involved in the management and oversight of individual cases
- Providing advice and guidance to employers and voluntary organisations
- Liaising with the police and other agencies
- Monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process

3.4 The functions of the LADO are covered by two posts in Buckinghamshire's Local Authority:

- For allegations against staff in education, the functions are carried out by the Manager for the Safeguarding in Education Team

- For all other staff, the functions are carried out by the Manager for the Specialist Investigation and Assessment Team

3.5 Where the role of the LADO could be compromised by his/her operational involvement in a case, the Named Senior Officer within the Local Authority will oversee arrangements.

### 3.6 Designated Senior Managers

All employers providing services for children and young people should designate:

- A Designated Senior Manager (DSM) to whom allegations or concerns should be reported
- A deputy to whom reports should be made in the absence of the DSM, or where the DSM is the subject of the allegation or concern

### 3.7 The DSM will:

- Provide a reporting point within the organisation or service for allegations or concerns against staff and volunteers
- Consult with the Local Authority Designated Officer to determine what action, if any, is required

### 3.8 Designated Roles within Thames Valley Police - Child Abuse Investigation Unit (CAIU)

#### 3.9 The Detective Inspector will:

- Have strategic oversight of the local police arrangements for managing allegations against staff and volunteers
- Liaise with BSCB on the issue
- Ensure compliance

#### 3.10 The Designated Sergeant or Deputy will:

- Liaise with the Local Authority Designated Officer
- Take part in strategy discussions
- Review the progress of cases in which there is a police investigation

3.11 NB Where the Designated Sergeant is not able to attend the strategy discussion, he/she should fully brief the attending officer

#### 3.12 Designated Officer for allegations against police staff

The DCI for Public Protection – Crime Support will oversee all allegations against police staff.

- Cases requiring criminal investigation will be conducted with the involvement of both the CPIU and the Professional Standards Department
- Cases requiring disciplinary enquiries will be handled by the Professional Standards Department
- Cases will also be overseen by the IPCC (Independent Police Complaints Commission).

## 4. GENERAL CONSIDERATIONS

### 4.1 Information Sharing and Notification

#### 4.2 Children, young people, parents or carers

The parent(s) carer(s) and the child, if sufficiently mature should be helped to understand the processes involved and kept informed about the progress of the case and of the

outcome. This will include the outcome of any disciplinary process, but not the deliberations of, or the information used in, a hearing.

#### **4.3 Staff and Volunteers Subject to Allegations or Concerns**

The member of staff should:

- Be treated fairly, honestly and helped to understand the concerns expressed and processes involved
- Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process
- If suspended, be kept up to date about events in the workplace

#### **4.4 Ofsted**

Ofsted should be informed of any allegations or concern made against:

- a member of staff in any day care establishment for children under 8
- a registered childminder
- a foster carer
- a member of staff in a residential child care facility

They should also be invited to take part in strategy discussions

#### **4.5 Confidentiality**

Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered. Apart from keeping the child, parents and accused person up to date with the progress of the case, information should be restricted to those who have a need to know in order to protect children, facilitate enquiries, manage related disciplinary or suitability processes.

4.6 The Police should not provide identifying information to the press or media, unless and until a person is charged, except in exceptional circumstances e.g an appeal to trace a suspect. In such cases, the reasons should be documented and partner agencies consulted beforehand.

#### **4.7 Support**

The organisation together with Children's Social Care and/or the Police where they are involved, should consider the impact on the child concerned and provide support as appropriate. Liaison between the agencies should take place in order to ensure that the child's needs are addressed

4.8 As soon as possible after an allegation has been received, the accused member of staff should be advised to contact his/her union or professional association, if they are affiliated to one. Human Resources should be consulted at the earliest opportunity in order that appropriate support can be provided via the organisation's occupational health or employee welfare arrangements.

4.9 Where a member of staff returns to work after a period of suspension, the employer should consider what help and support might be appropriate e.g. a phased return to work; provision of a mentor; how best to manage the member of staff's contact with the child concerned, if still in the workplace.

#### **4.10 Suspension**

Suspension should not be automatic. It should be considered in any case where:

- There is cause to suspect a child is at risk of significant harm, or
- The allegation warrants investigation by the police, or
- The allegations is so serious that it might be grounds for dismissal

4.11 The possible risks should be evaluated and managed in respect of the child/ren involved and any other children in the accused member of staff's home, work or community life.

4.12 Decision whether to suspend rests with the employer. The employer should however, make an informed decision by seeking a recommendation from the LADO and from investigative agencies where they are involved.

#### **4.13 Resignations and 'Compromise Agreements'**

Every effort should be made to reach a conclusion in all cases even if:

- The individual refuses to cooperate, having been given a full opportunity to answer the allegation and make representations
- It may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete

4.14 'Compromise agreements' must not be used. A 'compromise agreement' is where a member of staff agrees to resign provided that disciplinary action is not taken and that a future reference is agreed.

#### **4.15 Organised and Historical Abuse**

Investigators should be alert to the signs of organised or widespread abuse and/or the involvement of other perpetrators or institutions. They should consider whether the matter needs to be dealt with in accordance with Complex Abuse Procedures, which if applicable, will take priority.

4.16 Historical allegations should be responded to in the same way as contemporary concerns and with the same degree of priority. It will be important to ascertain if the person is currently working with children and if that is the case, to consider whether the current employer should be informed.

#### **4.17 Whistle-blowing**

All staff should be made aware of their organisation's whistle-blowing policy and encouraged to voice concerns about the attitude or actions of colleagues. If a member of staff believes that a reported allegation or concern is not being dealt with appropriately by their organisation, s/he should report the matter to the LADO.

#### **4.18 Timescales**

It is in everyone's interest for cases to be dealt with expeditiously, fairly and thoroughly and for unnecessary delays to be avoided. Target timescales are set out in these procedures. If these timescales cannot be met, the reasons should be documented e.g. because of specific nature or complexity.

### **5. INITIAL RESPONSE TO ALLEGATIONS OR CONCERNS**

#### **5.1 Source of concern**

An allegation against a member of staff may arise from a number of sources e.g. a report from a child victim, a concern raised by another child or adult in the organisation, or a complaint by a parent or carer.

#### **5.2 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.

5.3 S/he should not;

- Investigate or ask leading questions, if seeking clarification
- Make assumptions or offer alternative explanations
- Promise complete confidentiality

S/he should:

- Instigate immediate medical care where appropriate (e.g initial first aid, not forensic examination)
- Offer reassurance that the information will only be shared on a 'need to know' basis
- Make a written record of the information (where possible using the child/adult's actual words), including time, date and place of incident(s), person present and what was said.
- Sign and date the written record
- Immediately report the matter to the Designated Senior Manager (DSM), or deputy in his/her absence or where the DSM is the subject of the allegation.

### 5.5 Initial action by the Designated Senior Manager (DSM)

When informed of a concern or allegation, the DSM should not investigate the matter or interview the member of staff concerned or potential witnesses. S/he should:

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

5.6 If the allegation meets the criteria in paragraph (see criteria under 'SCOPE') the DSM should report it to the LADO **within 1 working day**. Referral should not be delayed in order to gather further information.

5.7 As soon as possible after an allegation is made, the parents or carers should be informed. Where possible, advice should be sought from the LADO in advance on how this should be managed.

5.8 The LADO should also be consulted about how and when the accused member of staff is to be informed of the allegation. If sharing the information with the member of staff will not impede or undermine any subsequent investigation, there should be no delay in doing so. At this early stage, it is advisable to only explain that an allegation of a child protection nature has been made. The detail of the allegation can be explained by the investigative agencies.

5.9 If an allegation requires immediate attention, but is received outside of normal office hours, the DSM should consult the Social Care Emergency Duty Team or the CAIU via local Police. The DSM should also inform the LADO as soon as possible following this action.

5.10 If a police officer receives an allegation, s/he should, without delay, report it to the Designated Detective Sergeant in the CAIU. The Designated Detective Sergeant should immediately inform the LADO.

5.11 Similarly, an allegation made directly to Social Care should be immediately reported to the LADO.

## 5.12 Allegations against police staff

The following actions must be undertaken immediately:

- Where concerns are reported to the LADO first, he/she will notify the DCI for Public Protection
- Where concerns are reported directly to the police, the DCI for Public Protection must be notified
- The DCI will liaise with the Police Professional Standards Department
- The DCI will also liaise with the LADO to discuss how the case should be dealt with and whether a strategy meeting is required

## 5.13 Initial consideration by the Designated Senior Manager (DSM) and the Local Authority Designated Officer (LADO)

There are up to 3 strands in the consideration of an allegation:

- A police investigation of a possible criminal offence
- Social Care enquiries and/or assessment about whether a child is in need of protection or services
- Consideration by an employer of disciplinary action

5.14 The LADO and the DSM should consider first whether further details are needed and whether there is evidence or information that establishes that the allegation is false or unfounded. Care should be taken to ensure that concerns are not dismissed where a child might be confused about dates, times, locations or identity of the member of staff.

5.15 If the allegation is not demonstrably false at the outset, and there is cause to suspect that a child is suffering or likely to suffer significant harm the LADO should request an immediate strategy discussion **within 24 hours**. Where the LADO is the designated officer within the Safeguarding in Education Team, s/he should liaise with the Team Manager of the Specialist Investigation and Assessment Team to request that a strategy discussion is convened within the same timescale.

5.16 The police must be consulted about any case in which a criminal offence may have been committed. Even where the threshold for significant harm is not reached, but a police investigation might be needed, the LADO should also request a strategy discussion. The issue of suitability to work with children must also be discussed.

## 6. STRATEGY DISCUSSIONS/MEETINGS

6.1 Wherever possible, a strategy discussion should take the form of a meeting, however on occasions a telephone discussion may be justified. The following is a list of possible participants:

- LADO
- Social Care Manger to chair
- Relevant Social Worker and his/her manager
- Detective Sergeant
- DSM for the employer concerned
- Human Resources representative
- Legal Adviser where appropriate
- Senior representative of the employment agency or voluntary organisation if applicable
- Manager from the fostering service provider when an allegation is made against a foster carer
- Supervising Social Worker when an allegation is made against a foster carer
- Those responsible for regulation and inspection where applicable e.g. Ofsted

- Paediatrician, where applicable
- Relevant agencies, where a child is placed or resident in another authority

## 6.2 Shared Risks for Children, Young People and Vulnerable Adults

6.3 Where concerns about harm to children or young people might also have implication for the safety of vulnerable adults, the initial Strategy Meeting must include relevant senior staff from adult services. This may be particularly relevant where the alleged perpetrator provides services to both sets of services users, or where there might be implications for a vulnerable adult in his/her personal life. Advice on attendance at the Strategy Meeting should be sought from the Safeguarding Manager (Adults) Buckinghamshire County Council. Plans for further information sharing or meeting attendance should be agreed. (There are reciprocal arrangements in the Vulnerable Adults Board Procedures).

## 6.4 Information required for Strategy Meetings

6.5 The employer or their representative is likely to hold important information for the strategy discussion to consider. The employer (together with Human Resources where involved) should ensure that as much of the following information as possible is made available to the strategy discussions:

6.6 Regarding the alleged incident:

- Details of initial report e.g. time(s), date(s), location(s), what was said and by whom
- Possible witnesses

Regarding the member of staff:

- Personal details i.e. name, date of birth, address, ethnicity
- Employment record
- Any previous concerns/allegations
- Work context and duties
- Relationships with colleagues and pupils
- Other activities where he/she may have contact with children
- Relevant personal and family information (if known)
- Hobbies or interests e.g. photography and IT
- Awareness of procedures, relevant training undertaken

6.7 Regarding the child and his/her family (information dependant upon the nature of the organisation involved):

- Personal details e.g. name, date of birth, address, ethnicity etc
- Family composition, history, contact details, relationship with school
- Educational ability, development and progress, including any special education needs
- Previous child protection concerns and vulnerability factors
- Whether previous allegations made
- Social relationships and activities, during and after school
- Speech, language and communications development
- Health; physical, emotional, behavioural and cognitive development

6.8 Regarding the organisation/service

- Relevant policies and procedures e.g. physical intervention, and how staff made aware of these
- Relevant training and how staff attendance is monitored

## **6.9 The first and any subsequent strategy discussions should:**

- Ensure that where appropriate, immediate arrangements are made to protect the child/ren involved and any other child/ren possibly affected
- Decide whether there should be a s.47 enquiry and/or police investigation
- Consider whether any parallel disciplinary process can take place and agree protocols for sharing information
- Consider the current allegation in the context of any previous allegations or concerns
- Where appropriate, take account of any entitlement by staff to use reasonable force to control or restrain children e.g. Section 550a Education act 1996
- Consider whether a complex abuse investigation is applicable
- Plan enquiries if needed, allocate tasks and set time-scales
- Decide what information can be shared, with whom and when
- Consider what support should be provided to all children who may be affected
- Consider what support should be provided to the member of staff and others who may be affected
- Ensure that investigations are sufficiently independent
- Make recommendations where appropriate regarding suspension, or alternatives to suspension
- Agree protocols for reviewing investigations and monitoring progress by the LADO, having regard to target timescales
- Consider issues for the attention of senior management e.g. media interest, resource implications
- Agree dates for future strategy discussions

## **7. ALLEGATIONS AGAINST STAFF IN THEIR PERSONAL LIVES**

7.1 If an allegation or concern arises about a member of staff, outside of his/her work with children, and this may present a risk to children for whom the member of staff is responsible, the general principles outlined in these procedures still apply.

7.2 The strategy discussion should consider whether the concern identified justifies:

- Approaching the member of staff's employer for further information, in order to assess the level of risk; and/or
- Inviting the employer to a further strategy discussion about dealing with the possible risks

7.3 If the member of staff lives in a different authority to that which covers his/her workplace, liaison should take place between the relevant agencies in both areas and a joint strategy discussion convened.

7.4 In some cases, an allegation of abuse against someone closely associated with a member of staff e.g. partner, member of the family, or other household member, may present a risk to children for whom the member of staff is responsible. In these circumstances, a strategy discussion should be convened to consider:

- The ability and willingness of the member of staff to adequately protect the children
- Whether measures need to be put in place to ensure their protection
- Whether the role of the member of staff is compromised

## **8. DISCIPLINARY AND SUITABILITY PROCESSES**

8.1 The LADO and the DSM should discuss whether an internal disciplinary investigation is appropriate in cases where:

- It is clear at the outset or when decided by a strategy discussion, that a Police investigation or Social Care enquiry is not necessary, or

- The employer or the LADO is informed by Police or the Crown Prosecution Service (CPS) that a criminal investigation and any subsequent trial is complete, or that an investigation is to be closed without charge, or a prosecution discontinued, or
- Where the Police and CPS formally agree to a disciplinary investigation running concurrently with their own investigations

8.2 The discussion should consider any potential misconduct and/or suitability issues on the part of the member of staff and take into account:

- Information provided by the Police and/or Social Care
- The result of any investigation or trial
- The different standard of proof in disciplinary and criminal proceedings

8.3 If formal disciplinary action is not required, the employer should institute appropriate action **within 3 working days**. If a disciplinary hearing is required, and further investigation is not required, the hearing should be held **within 15 working days**.

8.4 If further investigation is needed to decide upon disciplinary action, the employer and the LADO should discuss whether the employer has appropriate resources or whether the employer should commission an independent investigation because of the nature and/complexity of the case and in order to ensure objectivity.

8.5 The aim of an investigation is to obtain, as far as possible, a fair, balanced and accurate record in order to consider the appropriateness of disciplinary action and/or the individual's suitability to work with children. Its purpose is not to prove or disprove the allegation.

8.6 The investigating officer should aim to provide a report **within 10 working days**.

8.7 On receipt of the report the employer should decide **within 2 working days**, whether a disciplinary hearing is needed. If a hearing is required, it should be held **within 15 working days**.

8.9 If at any stage, new information emerges that requires a child protection referral, the disciplinary investigations should be held in abeyance and only resumed if agreed with Social Care and the Police. Consideration should again be given as to whether suspension is appropriate in light of the new information.

#### 8.10 **Supply, contract and volunteer workers**

In the case of supply, contract and volunteer workers, normal disciplinary procedures may not apply. In these circumstances, the LADO and employer should act jointly with the providing agency, if any, in deciding whether to continue to use the person's services, or provide future work with children, and if not whether to make a report for consideration of barring or other action.

#### 8.11 **Sharing information for disciplinary purposes**

Wherever possible, Police and Social Care should, during the course of their investigations and enquiries, obtain consent to provide the employer and/or regulatory body with statements and evidence for disciplinary purposes. Consideration should also be given to the type of evidence required and how the employer and/or regulatory body is to access such evidence e.g. transcripts from, or direct viewing of, video recorded interviews.

8.12 If the Police or CPS decide not to charge, or decide to administer a caution, or the person is acquitted, the Police should pass all relevant information to the employer without delay.

8.13 If the person is convicted, the Police should inform the employer straight away so that appropriate action can be taken.

## **9. RECORD KEEPING AND MONITORING PROGRESS**

9.1 Employers should keep a clear and comprehensive summary of the case record on a person's confidential personnel file and give a copy to the individual. The record should include details of how the allegation was followed up and resolved, the decisions reached and the action taken. It should be kept at least until the person reaches normal retirement age or for 10 years if this is longer.

9.2 The LADO should keep comprehensive records in order to ensure that each case is being dealt with expeditiously and that there are no undue delays. The records will also assist the BSCB to monitor and evaluate the effectiveness of the procedures for managing allegations.

The LADO should monitor and record the progress of each case, either **fortnightly or monthly** depending on its complexity. This could be by way of review strategy discussions or direct liaison with the Police, Social Care, or employer, as appropriate. Where the target timescales cannot be met, the LADO should record the reasons.

9.3 If a Police investigation is to be conducted, the Police should set a date for reviewing its progress and consulting the CPS about continuing or closing the investigation or charging the individual. Wherever possible, this should be **no later than 4 weeks** after the strategy discussion. Dates for further reviews should also be agreed, either **fortnightly or monthly** depending on the complexity of the investigation.

9.4 Where a disciplinary investigation follows Police or Social Care enquiries, the subsequent decisions made by the employer must be brought back to a final strategy meeting. This is to ensure that any safeguarding issues have been brought to an appropriate resolution for each of the investigative processes engaged (i.e. criminal, child protection and disciplinary).

## **10. UNSUBSTANTIATED AND FALSE ALLEGATIONS**

10.1 Where it is concluded that there is insufficient evidence to substantiate an allegation, the chair of the strategy discussion should prepare a separate report of the enquiry and forward this to the DSM of the employer to enable her/him to consider what further action, if any, should be taken.

10.2 False allegations are rare and may be a strong indicator of abuse taking place elsewhere in a child's life, which requires further exploration. If an allegation is demonstrably false, the employer, in consultation with the LADO, should refer the matter to Social Care to determine whether the child is in need of services, or might have been abused by someone else.

10.3 If it is established that an allegation has been deliberately invented, the Police should be asked to consider what action may be appropriate.

## **11. REFERRAL TO LIST 99, POCA LIST OR REGULATORY BODY**

11.1 If the allegation is substantiated and the person is dismissed or the employer ceases to use the person's services, or the person resigns or otherwise ceases to provide his/her services, the LADO should discuss with the employer whether a referral should be made to the DfES List 99, Protection of Children Act List and/or a regulatory body e.g the GTC, GMC, GSCC.

11.2 In compiling a report for a barring or regulatory body, the employer will be offered guidance by the LADO in:

- Ensuring that wherever possible, the employer receives sufficient evidence from Social Care enquiries and Police investigations
- Assisting in the interpretation of outcomes and professional opinion
- Assisting in the identification of risks to children

11.3 If a referral is to be made it should be submitted **within 1 month**.

11.4 Consideration will then be given to whether the individual should be barred from, or have conditions imposed in respect of working with children.

## **12. LEARNING LESSONS**

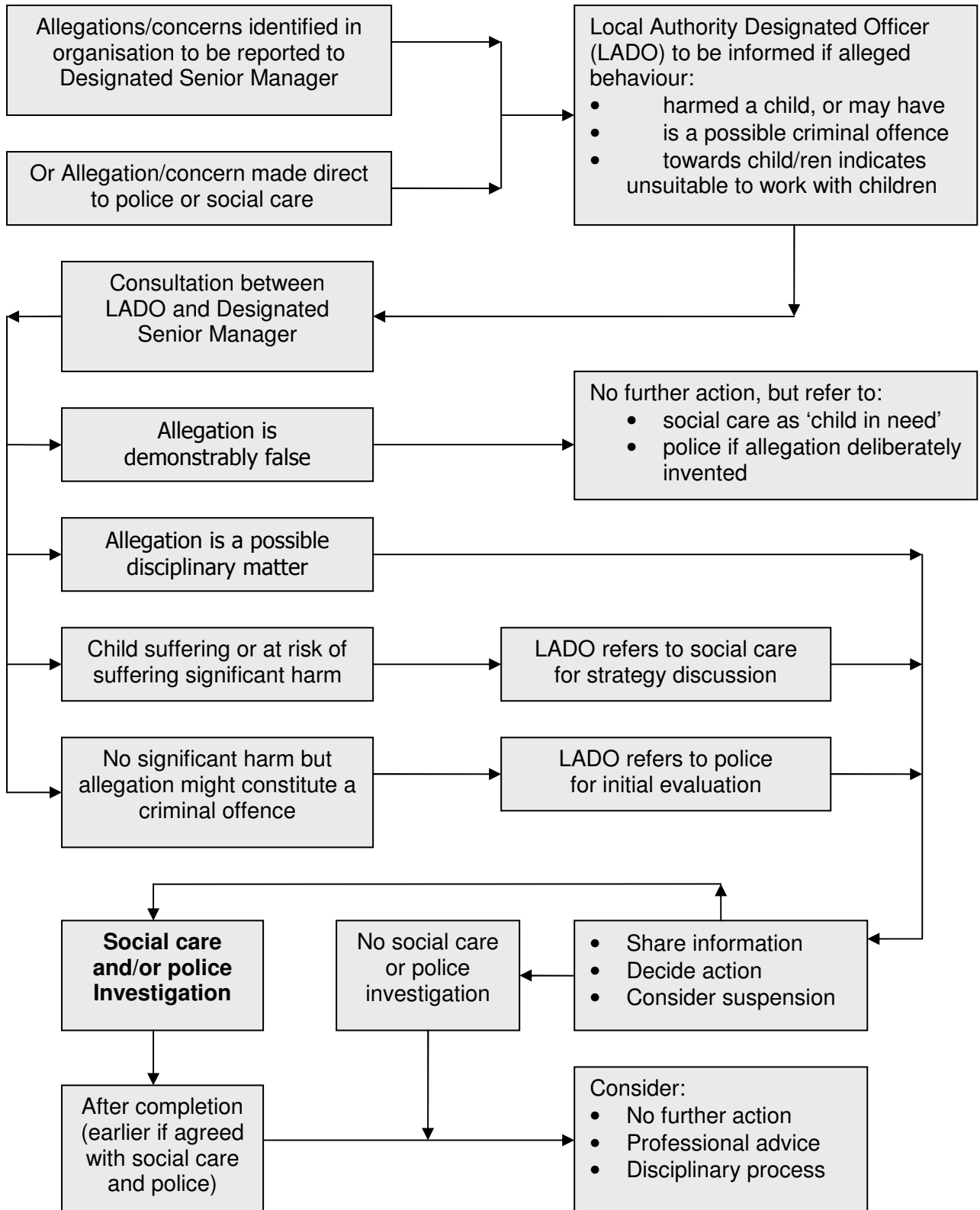
12.1 The LADOs will provide regular progress reports and statistics to the Serious Case Review Sub Committee. The Sub Committee will determine whether there are any improvements to be recommended within specific organisations or across multi-agency procedure or practice.

## **13. PROCEDURES IN SPECIFIC ORGANISATIONS**

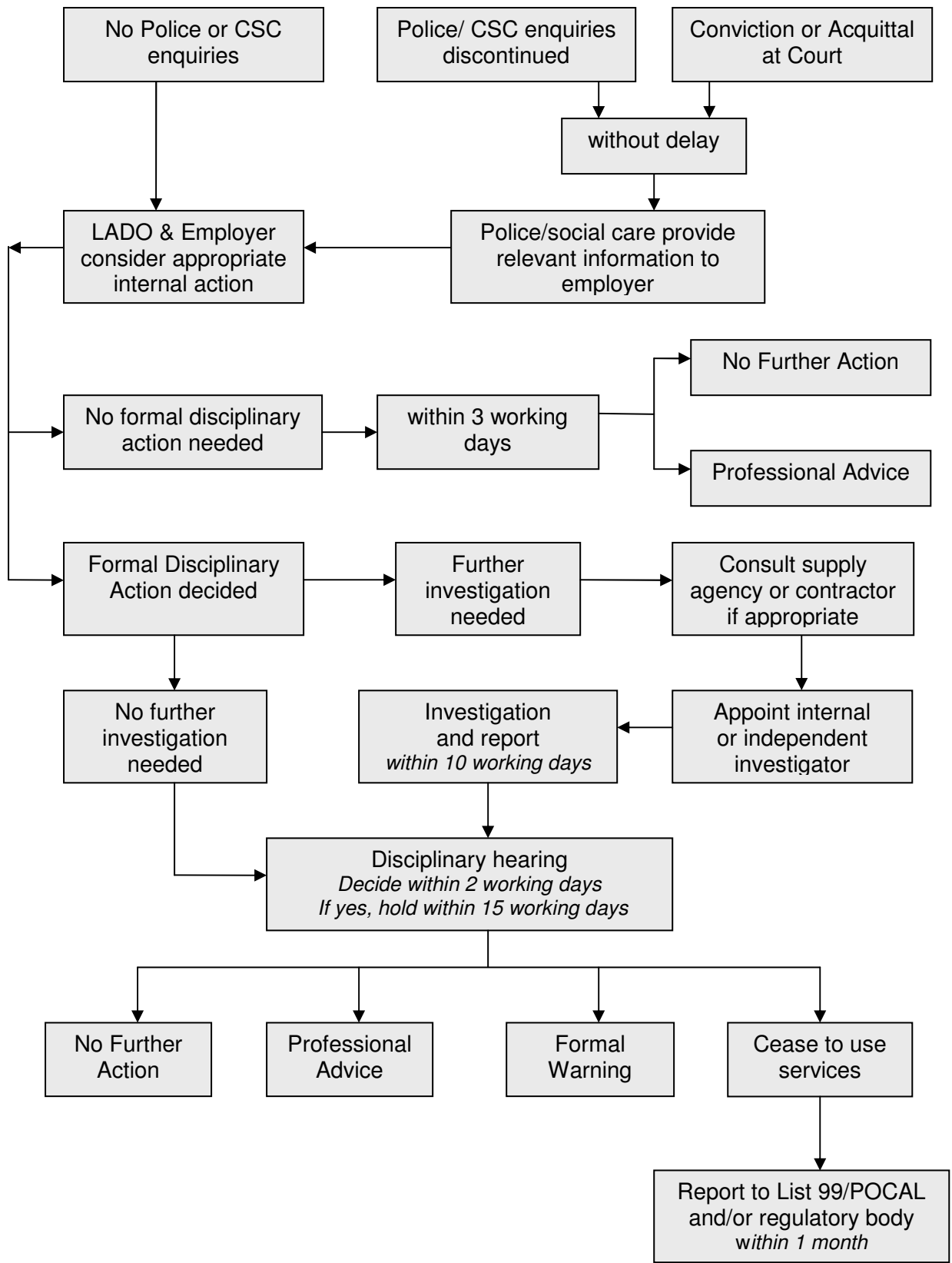
13.1 All local procedures for managing allegations against staff and volunteers who work with children, should be compatible with the BSCB procedures in this document. In addition, they should provide contact details for:

- The Designated Senior Manager in their organisation to whom all allegations should be reported;
- The Deputy for the DSM; and
- The Local Authority Designated Officer

## ALLEGATIONS/CONCERNS AGAINST STAFF AND VOLUNTEERS CHILD PROTECTION PROCESS



**ALLEGATIONS/CONCERNS AGAINST STAFF AND VOLUNTEERS  
DISCIPLINARY/SUITABILITY PROCESS**



**ALLEGATIONS AGAINST STAFF**  
**THRESHOLDS FOR INTERVENTION**

**Introductory notes:**

- (i) The following table has been produced to assist decision-making when considering whether to make a child protection referral. This should be used in conjunction with Working Together to Safeguard Children (2010) and the BSCB procedures. Its purpose is to ensure that wherever possible, the initial category of the allegation is ascribed on the basis of the evidence presented, rather than upon assumption or preconception.
- (ii) The decision-making process should not preclude a ‘child in need’ referral at any stage.
- (iii) All concerns raised about staff should include consideration of their conduct, whether in relation to any necessary disciplinary action and/or with regard to reducing their vulnerability to further allegations. This may involve an action plan for other staff too.

CATEGORY	DEFINITION	EXAMPLES	ACTION	SAFEGUARDS
<b>1. Apparent Corroboration</b>	Where an allegation or concern is accompanied by actual or circumstantial evidence.	A child may have a visible injury.  The incident may have been witnessed.  The member of staff may behave in a way that is consistent with the allegation.	A Child Protection referral <b>must</b> be made to the LADO and directly to the Police where this is imminent significant harm.  The LADO should make a referral in accordance with BSCB child protection procedures.	The referral should be confirmed in writing  The LADO should keep a copy of the referral.

CATEGORY	DEFINITION	EXAMPLES	ACTION	SAFEGUARDS
<b>2. Possible</b>	Where there are indications that an abusive incident might have taken place, or little evidence to disprove a child's allegations.	Where a child's allegations might be supported by other information, or where it is a matter of one word against another.	A Child Protection referral <b>must</b> be made to the LADO.	The referral to the LADO must be followed in writing.
<b>3. Unlikely</b>	The alleged incident most probably did not take place.	Where circumstantial evidence <b>appears</b> incompatible with the allegation.	<b>Only clarification of the specific allegation or concern should be sought. No attempt should be made to investigate the matter at this stage.</b>	Knowledge of both the child and member of staff concerned will be invaluable – <b>however</b> , the LADOs view will contribute further objectivity and help to secure consistency and appropriateness of response.
<b>4. Demonstrably false</b>	It is known without a doubt that an allegation is untrue.  This position requires strong evidence and must not be based on preconceptions about the child or member of staff concerned.	The alleged perpetrator was <b>known</b> not to be anywhere in the vicinity and the child is not confused in terms of time, place or person.	Internal enquiries can be undertaken by the school.  The child's motives or misunderstandings should be addressed – involving those with parental responsibility.	The LADO <b>must</b> receive written notification of the allegation, the evidence and how the matter was resolved.  This allows for external monitoring and further intervention if appropriate.  Consideration should always be given to the possibility that the child may be displacing abuse experienced elsewhere.