

## 1.14.5 Allegations Against Staff

### Scope of this chapter

The home Manager is responsible for coordinating Child Protection Referrals and Allegations.

### Related procedures

#### Whistle Blowing Procedure

#### Complaints Procedure

This chapter must be read in conjunction with the **Child and Adult Protection Procedure** and the **Safeguarding Partnership Board (England) or National Independent Safeguarding Board (Wales)** in the area where the home is located.

An allegation may relate to a person who works with children who 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; or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

“Any allegation should be reported immediately to a senior manager within the organisation. The LADO (England) or Single Point of Access Team (Wales) should also be informed within one working day of all allegations that come to an employer’s attention or that are made directly to the police; and

- If an organisation removes an individual (paid worker or unpaid volunteer) from work such as looking after children (or would have, had the person not left first) because the person poses a risk of harm to children, the organisation must make a referral to the Disclosure and Barring Service. It is an offence to fail to make a referral without good reason.

*Working Together to Safeguard Children*

### Procedure summary

If it is suspected or it is reported that a staff member has mistreated or caused **Significant Harm** to a child, it is taken seriously in all cases.

1. Upon receipt of the report/allegation the manager must consult with the Designated Child Protection Officer for the Home and the Director of Operations must be notified as soon as possible;
  - In keeping with procedures outlined in **Child Protection Procedure**, the suspicions/allegations of **Significant Harm** will be reported (within 1 working day) to the relevant **Local Authority Designated Officer (LADO) (England) or Single Point of Access Team (Wales)**. The LADO will advise on the actions/measures that must be taken. This will be either:
    - No further actions are needed;
    - A strategy discussion should take place;

- There should be immediate involvement of the police or social care and notifications to the following;
- The Child(ren)'s Social Worker, and come to a decision about notifying parents and any actions that need to be taken to protect the child(ren) e.g. whether it is necessary to change placements;
- The Regulatory Authority, if a **Child Protection Enquiry** is initiated;

Referring the Member of Staff to the **Disclosure and Barring Service**.

2. Efforts will be made to ensure that the rights of the child and staff are protected and promoted;
3. Staff who are suspected/accused of **Significant Harm** should be informed about the allegation as soon as possible after consulting the LADO (England) however, where a Strategy Discussion is needed or it is clear that the police or Children and Young People's Services may need to be involved, this should not be done until agencies have been consulted and agreed what information can be disclosed to the person. If the person is a member of a trade union or a professional association they should be advised to seek support from that organisation;
4. If there is cause to believe the child has suffered or is likely to suffer Significant Harm then a **Strategy Meeting** should be convened in accordance with SSP (England) / NISB (Wales) Child Protection guidance; and the staff who are suspected/accused may be suspended from work or asked to take 'Garden Leave'. In any case, staff will remain on full pay (excluding payments you may have been made for sleeping in etc);
5. During the enquiry the staff concerned will be asked not contact or discuss the matter with colleagues or children unless given approval by the Manager of the home. Also they may not visit homes without approval;
6. The manager will be expected to keep notes of all his/her actions/decisions in the safeguarding log and they may later be placed on personnel files;
7. If an enquiry is conducted, the Children and Young People's Services and Police will probably interview the staff concerned;
8. Staff will be provided with support throughout the enquiry;
9. During the enquiry, staff will be given the name of a support person/buddy they can contact for advice or information on how the enquiry is proceeding;
10. Once the enquiry is complete the staff member will be informed of the outcome;
11. If the allegation is founded the Police may take further action and/or the company may initiate disciplinary proceedings;
12. If the Police decide there are insufficient grounds for a criminal investigation or conviction, the company may still decide to invoke disciplinary proceedings where it appears that procedures have not been adhered to;
13. At the end of the process or before returning to work staff will be debriefed and have a 'Back to Work' interview and have the opportunity to discuss any unresolved feelings or concerns with a manager. This may be conducted with other staff involved, perhaps the person making the complaint;
14. In some circumstances it may be necessary for an independent advisor or counsellor to provide assistance and it may be necessary to provide additional training for staff concerned and/or amend policies or procedures.

## Revision History

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Date last updated: October 2020

Date of next review: October 2021

Date of release: December 2018

**End**