



# St Mary's Church of England Primary School

*'Believe and Achieve'*

## *Managing Allegations Procedures*

### **INTRODUCTION**

All organisations that provide services to children and young people must ensure that those who work with, or on behalf of, children and young people are competent, confident and safe to do so. Likewise, anyone who comes into contact with children and young people in their work has a duty of care to safeguard and promote their welfare.

The vast majority of adults who work with children act professionally, and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for the children and young people in their care. However, it is recognised that in this area of work tensions and misunderstandings can occur. It is here that the behaviour of adults can give rise to allegations of abuse being made against them. Allegations may be misplaced or malicious. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned.

Equally, it must be recognised that some allegations will be genuine and there are adults who will deliberately seek out, create or exploit opportunities to abuse children. For the benefit of all concerned it is essential that a clear process exists for the investigation and resolution of allegations.

### **Who is covered by the allegations against staff process?**

This process covers everyone working within the children's workforce in either a paid or unpaid capacity, including volunteers and foster carers. This means anyone working in health, education, social care or a voluntary sector service, as well as any other setting providing services to children.

### **Who is responsible for the allegations against staff process in Islington?**

The process is managed by Islington's LADO (Local Authority Designated Officer). All local authorities must have a LADO who is responsible for:

- Managing individual cases
- Providing advice and guidance
- Liaising with police and other agencies
- Monitoring progress of cases for timeliness, thoroughness and fairness

**Laura Eden, the LADO, can be contacted on: 020 7527 8066.**

## **INFORMATION ABOUT REPORTING ALLEGATIONS**

### **When is it necessary to contact the LADO?**

All allegations that meet the following criteria **must** be reported to the LADO.

Where it is alleged that someone has:

- Behaved in a way that has harmed or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child in a way that indicates they are unsuitable to work with children.

Allegations may relate to concerns about neglect, physical, sexual or emotional abuse or the use of restraint that is not permitted by law or guidance.

All statutory partner agencies are required to report all allegations to the LADO within one working day.

The LADO can also be contacted for advice regarding concerns or suspicions about behaviour towards children by staff or volunteers within Islington's children's workforce.

### **What happens when the LADO is contacted?**

The LADO will complete an initial evaluation and provide advice regarding the pathway to be followed to resolve the allegation.

### **What are the possible options for following up an allegation?**

The LADO will decide whether the allegation made is a potential criminal offence. In this case a referral will be made to the police. If the allegation indicates a child or children may be at risk of significant harm then a child protection investigation will be undertaken by Islington's Children's

Social Care. In these circumstances a strategy meeting is likely to be convened to share information about the allegation, and plan the investigation and actions needed to protect children.

The police, social workers and senior representatives from the organisation concerned, including representatives from human resources (HR), will attend this meeting. The subject of the allegation is not invited to attend but will have some feedback after the meeting takes place, subject to this not compromising any investigation. The chair of the strategy meeting will decide who will provide this feedback to the subject of the allegation. This could be the employer, the LADO or the police.

If the allegation does not indicate a potential criminal offence or child protection issue the matter may be passed back to the organisation managing the subject of the allegation for them to resolve under their staffing, disciplinary or standards, process or as a complaint.

### **Who makes allegations against staff?**

Allegations may be made by children, their parents/carers, colleagues or others.

### **What information will parents/carers be told?**

Parents/carers should be told at the earliest opportunity if their child has made an allegation, or there is a concern that they may have been harmed by someone working with them. Parents should be kept informed during the investigation process and be told the outcome. It is best for a senior member of staff to speak to the parents/carers.

### **How will children/young people be assisted during the process?**

Children/young people should be given the opportunity to share any concerns they have about their care and should be supported by the organisation throughout the investigation process. They should also be told the outcome and provided with further support if required.

### **Can parents/carers and children/young people refer directly to the LADO?**

If an allegation relates to a possible criminal offence or child protection issue then parents/carers or children/young people can report their concerns direct to the LADO. In general issues should be raised with a senior member of staff within the organisation, not the person who is the subject of the allegation.

### **What are the responsibilities for reporting?**

- Governors have responsibility for ensuring that procedures are in place for dealing with allegations against staff.
- If an allegation is made directly to school then the Designated Lead for Child protection receives the report. All staff or volunteers should be made aware who this person is, who to contact in their absence and of the procedures relating to allegations against staff which should include the LADOs details. Anyone working with children should be subject to the appropriate checks and be provided with clear expectations about what is expected from them in their contact with children. The safer working guidance detailed above is a useful framework to follow.
- If the DSL is the subject of an allegation then the Chair of Governors would be the named person responsible for reporting.
- The public (including staff) are able to report their concerns directly to the LADO.

### **Where can I get further information?**

For further information please contact Laura Eden, LADO, 020 7527 8066, [laura.eden@islington.gov.uk](mailto:laura.eden@islington.gov.uk)

Information is also available on the ISCB website: [www.islingtonscb.org.uk](http://www.islingtonscb.org.uk)

## **INFORMATION FOR THOSE SUBJECT TO ALLEGATIONS**

### **What happens if a member of staff is subject to an allegation?**

The staff member's manager will contact the LADO for advice. This will include when it is appropriate to share details of the allegation with the member of staff and who will be investigating it. The staff member should be offered information about support during the process. This may be via their union representative and a named individual within the workplace. It is acknowledged that being subject to an allegation is a very stressful process and a GP may also be an appropriate source of assistance for the member of staff.

Allegations may also relate to events in a staff member's/volunteer's life. For example, that their own children have been subject to a child protection investigation. In these circumstances the LADO will consider whether the staff member's/volunteer's employer needs to be contacted and this information shared. The staff member would be consulted about this and have the chance to tell their employer themselves unless the situation is urgent. In this case the information may be shared immediately. Further details regarding the principles considered in making a decision about sharing this sort of information is available from the LADO.

### **Will staff be suspended if they are subject to an allegation?**

Decisions about suspension are made on a case by case basis and depend on the nature and seriousness of the allegation. Whilst the LADO can offer advice only an employer may make a decision to suspend a staff member/volunteer. Many people subject to allegations are not suspended although their working arrangements may be adjusted whilst the matter is followed up.

### **How long will it take to investigate an allegation?**

For all concerned it is important that allegations are investigated as quickly as possible. Initial evaluations by the LADO begin immediately. Initial advice is given within a few days and usually concluded within a month. More complex investigations, or those involving the police, can take longer. The LADO is expected to monitor these for timeliness and assist in resolving delays where possible.

### **What happens at the end of the process?**

Whichever process is used to investigate the allegation (criminal, child protection or employer based) will be expected to form a conclusion about the concerns raised based on the available evidence. Following most allegations staff return to the work place and where this is decided support should be offered to enable this to happen successfully. If it is concluded that someone working with children has harmed a child or is unsuitable to work with children it is possible they will be dismissed by their employer and in these cases a referral will be made to the DBS (Disclosure and Barring Service) to consider whether this person should be barred from working with children.

Whatever the outcome the LADO will assist the organisation in which the allegation occurred regarding any lessons to be learnt and ways in which safer working arrangements can be improved.

### **What records will be kept regarding allegations?**

It is a requirement that a summary of any allegations made and the outcome of any investigation is kept on the HR file of the person concerned. This record should be kept for 10 years or until retirement whichever is the sooner. Other records may be held by agencies involved in investigating allegations. Information about what information should be disclosed in references can be obtained via the LADO on the phone number above.

### **What can staff do to prevent allegations being made against them?**

The publication Guidance for Safer Working Practice for Adults who Work with Children and Young People (2009) provides excellent advice about safeguarding children you are working with. This can be obtained on the ISCB website, [www.islingtonscb.org.uk](http://www.islingtonscb.org.uk)

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