



STAPLE  
PRE-SCHOOL

## **Allegations against staff, volunteers or agency staff**

Concerns may come from a parent, child, colleague or member of the public. Allegations or concerns must be referred to the Designated Safeguarding Officer (DSO) without delay - even if the person making the allegation later withdraws it.

Our setting DSOs are: Gina Manning and Kirsty Massey, Joint Coordinators.  
DSO for the committee is Gemma Minter.

### **Identifying**

An allegation against a member of staff, volunteer or agency staff constitutes serious harm or abuse if they:

- 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 may pose a risk of harm to children

### **Informing**

- Staff report allegations to the DSO, Gina or Kirsty.
- The staff DSO alerts the Designated Safeguarding Officer for the committee (Gemma Minter).  
If the DSO is unavailable, the coordinators together should form a view about what immediate actions are taken to ensure the safety of the children and staff in the setting, and what is acceptable in terms of fact-finding.
- The coordinator must take steps to ensure the immediate safety of children, parents, and staff on that day within the setting.
- The Local Authority Designated Officer (LADO) is contacted as soon as possible and within one working day.
- It is essential that no investigation occurs until and unless the LADO has expressly given consent for this to occur, however, the person responding to the allegation does need to have an understanding of what explicitly is being alleged, and a checklist of details for handling and recording allegations is available with this policy.

- A child protection referral is made by the coordinators if required. The LADO, line managers and local safeguarding children's services can advise on whether a child protection referral is required.
- The coordinator asks for clarification from the LADO on the following areas:
  - what actions the DSO must take next and when and how the parents of the child are informed of the allegation
  - whether or not the LADO thinks a criminal offence may have occurred and whether the police should be informed and if so who will inform them
  - whether the LADO is happy for the setting to pursue an internal investigation without input from the LADO, or how the LADO wants to proceed
  - whether the LADO thinks the person concerned should be suspended, and whether they have any other suggestions about the actions the DSO has taken to ensure the safety of the children and staff attending the setting
- The DSO records details of discussions and liaison with the LADO including dates, type of contact, advice given, actions agreed and updates on the child's case file.
- Parents are not normally informed until discussion with the LADO has taken place, however in some circumstances the DSO may need to advise parents of an incident involving their child straight away, for example if the child has been injured and requires medical treatment.
- Staff do not investigate the matter unless the LADO has specifically advised them to investigate internally. Guidance should also be sought from the LADO regarding whether or not suspension should be considered. The person dealing with the allegation must take steps to ensure that the immediate safety of children, parents and staff is assured. It may be that in the short-term measures other than suspension, such as requiring a staff member to be office based for a day, or ensuring they do not work unsupervised, can be employed until contact is made with the LADO and advice given.
- The DSO ensures staff complete a safeguarding incident report. This is shared to the committee DSO.
- If after discussion with the DSO, the LADO decides that the allegation is not obviously false, and there is cause to suspect that the child/ren is suffering or likely to suffer significant harm, then the LADO will normally refer the allegation to children's social care.
- If notification to Ofsted is required the setting will inform Ofsted as soon as possible, but no later than 14 days after the event has occurred. The coordinators will liaise with the committee DSO about notifying Ofsted.

- Avenues such as performance management or coaching and supervision of staff will also be used instead of disciplinary procedures where these are appropriate and proportionate. If an allegation is ultimately upheld the LADO may also offer a view about what would be a proportionate response in relation to the accused person.
- The DSO must consider revising or writing a new risk assessment where appropriate, for example if the incident related to an instance where a member of staff has physically intervened to ensure a child's safety, or if an incident relates to a difficulty with the environment.
- All allegations are investigated even if the person involved resigns or ceases to be a volunteer.

### **Allegations against agency staff**

Any allegations against agency staff must be responded to as detailed in this procedure.

In addition, the committee must contact the agency following advice from the LADO.

### **Allegations against the Designated Safeguarding Officer**

- If a member of staff has concerns that the DSO/coordinator has behaved in a way that indicates they are not suitable to work with children as listed above, this is reported to the committee DSO who will investigate further.
- During the investigation, the committee DSO will ask the staff DSO/joint coordinator to take over the role of DSO.
- If an allegation is made against the committee DSO, then the trustees are informed.

### **Recording**

- A record is made of an allegation/concern, along with supporting information, on a safeguarding incident reporting form; normally by the practitioner who has observed the incident. This is then stored in the child's file.
- If the allegation refers to more than one child, this is recorded in each child's file
- If relevant, a child protection referral is made, with details held on the child's file.

### **Disclosure and Barring Service**

- If a member of staff is dismissed because of a proven or strong likelihood of child abuse, inappropriate behaviour towards a child, or other behaviour that may indicate they are unsuitable to work with

children such as drug or alcohol abuse, or other concerns raised during supervision when the staff suitability checks are done, a referral to the Disclosure and Barring Service is made.

### Escalating concerns

- If a member of staff believes at any time that children may be in danger due to the actions or otherwise of a member of staff or volunteer, they must discuss their concerns immediately with the DSO.
- If after discussions with DSO, they still believe that appropriate action to protect children has not been taken they must speak to the committee DSO.
- If there are still concerns then the whistle blowing procedure must be followed, as stated in the setting whistle blowing policy.

This policy was adopted by

Staple Pre-School

Date:

January 2022

Date to be reviewed

January 2023

Signed on behalf of the management committee

Lauren Gupta-Miles

Role of signatory (e.g. chair/owner)

Chairperson