

Allegations against staff

An allegation may be made by children, young people, parents/carers, other staff, volunteers, students, OFSTED, Local Authority representatives or members of the public. Any allegations will be taken very seriously.

An allegation is defined as any complaint or concern that may indicate a person:

- Has harmed a child
- Has displayed behaviour involving or related to a child that may constitute a criminal offence or
- Has behaved in a way that raises concern about the adult's suitability to work with children

When dealing with an allegation:

- Ensure the immediate safety of the child/ren
- Seek necessary medical treatment
- Record in writing the time/place/details/any action then sign and date
- Gather as much information as possible and clarify exactly what is being alleged

It is important the Managers/Registered person or any other member of staff does NOT start to investigate the allegation. Any discussions with the alleged perpetrator must be kept to a minimum until Social Services and/or the Police have been informed

When an allegation has been made:

- Consider that potentially a crime may have been committed and it is essential no evidence is contaminated
- Inform the registered person (unless they are the alleged perpetrator), LADO (Local Authority Designated Officer) and OFSTED
- It may be necessary to suspend the worker from all duties immediately until the investigation identifies the level of risk
- It will be explained that any statements or information given will be taken seriously but cannot be kept confidential

Incidents of poor practice or incompetence may be dealt with under ordinary disciplinary procedures. Before suspension of an alleged perpetrator, the allegation must be checked to see whether it could have actually happened. This must only be done based on facts and not on opinion of the alleged perpetrator. Even if an investigation is inconclusive or does not result in a criminal conviction, action can still be taken if "gross misconduct" is identified.

If a formal investigation is taking place it is not always appropriate to keep the member of staff at work but we have a duty of care to the staff member and support arrangements will be made available. If the perpetrator resigns to avoid any concerns being recorded on their employment record then it must be explained that the investigation will continue despite this.

Records should show the process of making judgements about both suspending an employee and making a referral so it can be demonstrated that a balanced and reasonable judgement was made.

If an allegation of abuse has been made against the Management then the matter should be reported directly to the registered person, if the complaint is against the registered person then the Management must be informed. In either case the Child Protection policy will be followed.

Informing parents

It is important to seek advice from LADO, they will advise you about information sharing. In all cases consider whether the child will be put at risk by informing the parents/carers. Parents should be kept informed of the progress of the case and told the outcome if there is no criminal prosecution.

OFSTED's role

An investigation may not be pursued due to lack of evidence however OFSTED may still enforce action if it feels that systems and procedures have fallen short of the standards. They can suspend registration at any time or carry out more frequent inspections.

Confidentiality and Privacy

All information should be shared with the Police, LADO, Social Services and OFSTED as required. However, the staff member, child and their family are entitled to as much privacy and confidentiality as possible. Basic facts can be shared with other staff.

During and after the investigation

If the allegation is well founded and a member of staff dismissed, resigns or their service is discontinued then the Department for Education and Skills need to be made aware of all the circumstances so they can make a decision as to whether the person should be allowed to work with children in the future

False accusations

If a false accusation is made, disciplinary action may be appropriate. False accusations WILL be addressed. All allegations will be recorded and kept on file.

Contact details

The LADO for Bromley 020 8461 7669