



○ *Explore Discover Flourish*

MANAGING ALLEGATIONS AGAINST STAFF

Policy:	Managing allegations against staff
Aim:	To provide support for staff
Responsible Officer:	Supervisor
Information Included:	General principles and Process
Supporting Documentation:	
Other related policies	Safeguarding

This policy interprets current law and guidance to ensure that all allegations made against persons who work for Sutton on the Forest Preschool (including volunteers) are dealt with appropriately.

Allegations may be made against such persons who may have:

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

General principles

The child or any other person reporting a concern must be listened to and taken seriously. Managers (preschool leader or committee) also have a continuing duty of care to any member of staff who becomes subject of an allegation and should ensure that they are treated fairly and offered appropriate support. Allegations should be managed in accordance with Government Guidance and North Yorkshire Safeguarding Children Board procedures. Reference is also made to guidance provided by North Yorkshire County Council Children and Young People's Service.

Process

- Where an allegation is received it is important to be clear about what is being said. The Manager (preschool leader or chair of managing committee, if allegation is against the preschool leader), should not investigate the incident or interview any child or staff member as this needs to be carried out by trained persons. The Manager should simply establish that an allegation has been made, the general nature of the allegation, when and where the alleged incident occurred, who was involved and any other persons present. An accurate written record should be made by the Manager which must be signed and dated. No assumptions or judgements should be made by the Manager.
- The Manager should inform the North Yorkshire County Council Designated Officer (this person is Karen Lewis) of all allegations. The involvement of the Designated Officer will ensure that all cases are dealt with objectively and consistently and avoid any possible accusation of collusion. The Chair of the Managing Committee and OFSTED must also be informed.
- Consultation between the Manger and the Designated Officer should take place immediately, and will decide appropriate action depending on the category of allegation (as defined in the 'Threshold for child protection referral' appendix B in attached blue North Yorkshire County Council document), and whether the alleged incident should be discussed with
 - Social Care/Police for a strategy meeting/initial evaluation to discuss if a child protection and/or criminal investigation may need to be undertaken
 - Preschool personnel provider to take advice regarding employment elements inherent in any allegation.
- The advice of the Designated Officer should be followed. All decisions and reasons by them should be clearly recorded and include the names and positions of those consulted.
- The Manager must inform the staff member as soon as possible regarding the allegation and provide necessary support as indicated below. This may be delayed if police or social care need to be consulted to agree what information can be disclosed.
- Where the allegation may constitute significant harm or a criminal offence a multi-agency strategy meeting or initial evaluation meeting will be held involving the LA Designated Officer, Preschool personnel provider, and the Preschool Manager. The Police, Social Care and other relevant agencies may also be involved. Agreement will be reached at that stage as to whether child protection and/or police investigations are appropriate. A decision in respect of suspending the member of staff, pending investigations, should also be made.
- Not all allegations will however lead to automatic suspension. Suspension is a neutral act, not a sanction. Suspension should be considered in all cases where there is cause to suspect a child is at risk of significant harm or the allegation warrants investigation by the police or it is so serious that it might be grounds for dismissal. Suspension may also be considered where necessary to allow the conduct of the investigation to proceed unimpeded. Where suspension is being

considered an interview will be arranged and the staff member may seek assistance, where appropriate, from a union or legal representative or friend. This meeting is not concerned with examination of the evidence but rather an opportunity for the member of staff to make representations concerning the suspension.

- Support is essential throughout the process. It is important that the child's needs are identified (irrespective as to whether or not the allegation is unfounded or deliberate) and that appropriate support is obtained. An allegation is likely to be traumatic for the accused member of staff/volunteer. Employers have a duty of care to their employees and should ensure that appropriate support is offered including advising contacting their union if they have one. A copy of the yellow North Yorkshire County Council document 'Guidance for staff facing an allegation...' will be made available to the staff member. Furthermore, staff who have witnessed inappropriate behaviour should be able to express their views in confidence without fear of retribution and again they should be supported.
 - If the allegations prove to be false this may leave the preschool and staff shocked and traumatised. Reference to the green North Yorkshire County Council document 'Managing the aftermath of unfounded and unsubstantiated allegations against early years staff' will be made to assist the preschool in drawing up a strategy to manage the situation.
-