6. Safeguarding Children, Young People and Vulnerable Adults Procedures

6.2 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 person without delay - even if the person making the allegation later withdraws it.

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

- All staff report allegations to the designated lead, or assistant designated lead. If the concern is about a DSL themselves staff can address this with the other DSL or report their concerns to the LADO directly.
- The designated leads liaise, where appropriate, or the Chair of the Committee and 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 LADO threshold document can be found here, and should be used to support any decision made https://trixcms.trixonline.co.uk/api/assets/hertfordshirescp/be4b5530-e471-481f-af4f-ef2b96f8fc61/lado-threshold.pdf
- The LADO support officer can be telephoned on 01992 555420 for advice or guidance
- 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.
- The designated lead(s) 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. A 'Professional Referral Form to LADO' will be completed by the DSP which can be found here https://www.hertfordshire.gov.uk/services/childrens-social-care/child-protection/hertfordshire-safeguarding-children-partnership/professionals-and-volunteers/professionals-and-volunteers.aspx#
- If the LADO is on leave or cannot be contacted the LADO team manager is contacted and/or advice sought from Children's Services on 0300 123 4043
- A child protection referral is made by the designated lead if required. The LADO and Children's services can advise on whether a child protection referral is required.
- The designated lead asks for clarification from the LADO on the following areas:
    - what actions the designated lead 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 designated lead has taken to ensure the safety of the children and staff attending the setting
- The designated lead 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 designated lead 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 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 designated lead ensures staff fill in a 'Safeguarding Incident Reporting Form'.
- If, after discussion with the designated lead, 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 services.
- If notification to Ofsted is required the designated lead will inform Ofsted as soon as possible, but no later than 14 days after the event has occurred. The designated leads will notify 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 designated lead 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 such as where parents and staff are coming and going and doors are left open.
- All allegations are investigated even if the person involved resigns or ceases to be a volunteer.

Recording

- A record is made of an allegation/concern, along with supporting information normally by the practitioner who has observed the incident**.** This is then entered on the file of the child.
- 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 or when the annual update check is undertaken, 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 designated leads.
- If after discussions with the designated leads**,** they still believe that appropriate action to protect children has not been taken they must speak to the Chair of the Committee.

If there are still concerns then the whistle blowing procedure must be followed, which can be found on "Responding to Safeguarding or Child Protection Concerns".