



February 2024

Managing Allegations against Education Staff & Volunteers

Approved by the Finance & Personnel Committee:

Review Date: February 2025

SAFEGUARDING ENVIRONMENTS

Schools should be proactive in reducing the risk of child abuse taking place within the services they provide by:

- Developing a safeguarding ethos in which children and staff can express their concerns; where staff are encouraged to challenge poor practice constructively; and where 'whistle-blowing' procedures can be engaged without fear. This means that safeguarding policies and procedures are accessible to all and that there are means for communication and access to skilled advice, both internal and external to the organisation.
- Adopting safe recruitment and effective safe termination of employment practices.
- Ensuring that all staff receive appropriate training in child protection: signs, symptoms and referral procedures, which include how to recognise and respond to allegations against staff.
- Ensuring that staff understand what is safe practice and what is not. In particular, staff must be aware of behaviours that are likely to bring about criminal, child protection or disciplinary action. All staff therefore, should be provided with clear and relevant codes of conduct.
- Ensuring that vulnerabilities expressed by staff are taken seriously and responded to at the earliest stage.
- Ensuring that risk assessments following allegations are undertaken to reduce the likelihood of repetition.

A failure to report an allegation or concern in accordance with the following procedures is a potential disciplinary matter.

Staff and volunteers are also strongly advised to report any incident, involving themselves that could give rise to concern, including the potential for misinterpretation by others.

SCOPE

Working Together 2018 states that Local Safeguarding Children Boards are responsible for developing policies and procedures for Safeguarding and Promoting the welfare of children. These should include procedures for investigating allegations concerning persons who work with children.

The procedures should be followed by all organisations providing services for children and young people, with the exception of schools and further education establishments which should follow the statutory guidance issued by the Department of Education, for dealing with allegations of abuse against teachers and other staff.

Compliance with these procedures will help to ensure that allegations of abuse are dealt with expeditiously; consistent with a thorough and fair process for all concerned.

These procedures should be applied when there is an allegation or concern that any person who works with children, in connection with his/her employment or voluntary activity, has:

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

These behaviours should be considered within the context of the four categories of abuse i.e. physical, sexual, emotional abuse and neglect as defined in Working Together 2006.

These include concerns relating to inappropriate relationships between members of staff and children or young people e.g:

- Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual
- 'Grooming' i.e. meeting a child under 16 with intent to commit a relevant offence
- other 'grooming' behaviour giving rise to concerns of a broader child protection nature e.g. inappropriate text/e-mail messages or images, gifts, socialising etc
- Possession of indecent photographs/pseudo-photographs of children

References to 'staff' should be read as including all staff, whether in a paid or voluntary capacity.

ROLES AND RESPONSIBILITIES

Named Senior Officers

Each Buckinghamshire Safeguarding Children Board (BSCB) member organisation should identify a named senior officer with overall responsibility for:

- Ensuring that the organisation deals with allegations in accordance with these procedures
- Resolving any inter-agency issues
- Liaising with the BSCB on the subject
- Ensuring that information is collated in accordance with the requirements of the Allegations against Children's Workforce Sub Committee and regularly made available to that Sub Committee.
- When required, also ensuring that relevant data is made available to the Safer Employment Sub Committee.

The Allegations against Children's Workforce Sub Committee for BSCB takes lead responsibility for co-ordinating the strategic response of member organisations in the management of allegations against staff and volunteers. This Sub Committee will operate to ensure that agreed standards in managing allegations are communicated across the County, and that mechanisms are in place to ensure effectiveness and consistency in practice.

Local Authority Designated Officers (LADO)

Buckinghamshire's Local Authority has officers in place with specific responsibility for:

- Being involved in the management and oversight of individual cases
- Providing advice and guidance to employers and voluntary organisations
- Liaising with the police and other agencies
- Monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process

Where the role of the LADO could be compromised by his/her operational involvement in a case, the Named Senior Officer within the Local Authority will oversee arrangements.

Designated Senior Managers

All employers providing service for children and young people should designate:

- A Designated Senior Manager (DSM) to whom allegations or concerns should be reported
- A deputy to whom reports should be made in the absence of the DSM, or where the DSM is the subject of the allegation or concern

The **DSM** will:

- Provide a reporting point within the organisation or service for allegations or concerns against staff and volunteers
- Consult with the Local Authority Designated Officer to determine what action, if any, is required.
-

Designated Roles within Thames Valley Police - Child Abuse Investigation Unit (CAIU)

The Detective Inspector will:

- Have strategic oversight of the local police arrangements for managing allegations against staff and volunteers
- Liaise with BSCB on the issue
- Ensure compliance

The Designated Sergeant or Deputy will:

- Liaise with the Local Authority Designated Officer
- Take part in strategy discussions
- Review the progress of cases in which there is a police investigation

NB Where the Designated Sergeant is not able to attend the strategy discussion, he/she should fully brief the attending officer

Designated Officer for allegations against police staff

The DCI for Public Protection – Crime Support will oversee all allegations against police staff.

- Cases requiring criminal investigation will be conducted with the involvement of both the CPIU and the Professional Standards Department
- Cases requiring disciplinary enquiries will be handled by the Professional Standards Department
- Cases will also be overseen by the IPCC (Independent Police Complaints Commission).

GENERAL CONSIDERATIONS

Information Sharing and Notification

Children, young people, parents or carers

The parent(s) carer(s) and the child, if sufficiently mature should be helped to understand the processes involved and kept informed about the progress of the case and of the outcome. This will include the outcome of any disciplinary process, but not the deliberations of, or the information used in, a hearing.

Staff and Volunteers Subject to Allegations or Concerns

The member of staff should:

- Be treated fairly, honestly and helped to understand the concerns expressed and processes involved
- Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process
- If suspended, be kept up to date about events in the workplace

OfSTED

OfSTED should be informed of any allegations or concern made against:

- a member of staff in any day care establishment for children under 8
- a registered childminder

- a foster carer
- a member of staff in a residential child care facility

They should also be invited to take part in strategy discussions

Confidentiality

Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered. Apart from keeping the child, parents and accused person up to date with the progress of the case, information should be restricted to those who have a need to know in order to protect children, facilitate enquiries, manage related disciplinary or suitability processes.

The Police should not provide identifying information to the press or media, unless and until a person is charged, except in exceptional circumstances e.g an appeal to trace a suspect. In such cases, the reasons should be documented and partner agencies consulted beforehand.

Schools and Further Education Establishments should note the additional reporting restrictions imposed by the Education Act 2011.

Support

The organisation together with Children’s Social Care and/or the Police where they are involved should consider the impact on the child concerned and provide support as appropriate. Liaison between the agencies should take place in order to ensure that the child’s needs are addressed

As soon as possible after an allegation has been received, the accused member of staff should be advised to contact his/her union or professional association, if they are affiliated to one. Human Resources should be consulted at the earliest opportunity in order that appropriate support can be provided via the organisation’s occupational health or employee welfare arrangements.

Where a member of staff returns to work after a period of suspension, the employer should consider what help and support might be appropriate e.g. a phased return to work; provision of a mentor; how best to manage the member of staff’s contact with the child concerned, if still in the workplace.

Suspension

Suspension should not be automatic. It should be considered in any case where:

- There is cause to suspect a child is at risk of significant harm, or
- The allegation warrants investigation by the police, or
- The allegations is so serious that it might be grounds for dismissal

The possible risks should be evaluated and managed in respect of the child/ren involved and any other children in the accused member of staff’s home, work or community life.

Decision whether to suspend rests with the employer. The Employer should however, make an informed decision by seeking a recommendation from the LADO and from investigative agencies where they are involved.

Resignations and ‘Settlement Agreements’ (formerly known as “Compromise Agreements”)

Every effort should be made to reach a conclusion in all cases even if:

- The individual refuses to cooperate, having been given a full opportunity to answer the allegation and make representations

- It may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete

'Settlement Agreements' must not be used. A 'Settlement Agreement' is a negotiated settlement which often involves an agreed termination of the contract. Terms of the agreement may include an undertaking that disciplinary action is not taken and that a future reference is agreed.

Organised and Historical Abuse

Investigators should be alert to the signs of organised or widespread abuse and/or the involvement of other perpetrators or institutions. They should consider whether the matter needs to be dealt with in accordance with Complex Abuse Procedures, which if applicable, will take priority.

Historical allegations should be responded to in the same way as contemporary concerns and with the same degree of priority. It will be important to ascertain if the person is currently working with children and if that is the case, to consider whether the current employer should be informed.

Whistle-blowing

All staff should be made aware of their organisation's whistle-blowing policy and encouraged to voice concerns about the attitude or actions of colleagues. If a member of staff believes that a reported allegation or concern is not being dealt with appropriately by their organisation, s/he should report the matter to the LADO.

Timescales

It is in everyone's interest for cases to be dealt with expeditiously, fairly and thoroughly and for unnecessary delays to be avoided. Target timescales are set out in these procedures. If these timescales cannot be met, the reasons should be documented e.g. because of specific nature or complexity.

INITIAL RESPONSE TO ALLEGATIONS OR CONCERNS

Source of concern

An allegation against a member of staff may arise from a number of sources e.g. a report from a child victim, a concern raised by another child or adult in the school, or a complaint by a parent or carer.

Initial action by person receiving or identifying an allegation or concern

The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.

S/he should not;

- Investigate or ask leading questions, if seeking clarification
- Make assumptions or offer alternative explanations
- Promise complete confidentiality

S/he should:

- Instigate immediate medical care where appropriate (e.g. initial first aid, not forensic examination)
- Offer reassurance that the information will only be shared on a 'need to know' basis
- Make a written record of the information (where possible using the child/adult's actual words), including time, date and place of incident(s), person present and what was said.

- Sign and date the written record
- Immediately report the matter to the DSM or the Assistant Headteacher in her absence or where the DSM is the subject of the allegation

Initial action by the Designated Senior Manager (DSM)

When informed of a concern or allegation, the DSM should not investigate the matter or interview the member of staff concerned or potential witnesses. S/he should:

- Obtain written details of the concern/allegation, signed and dated by the person receiving (not the child/adult making the allegation)
- Countersign and date the written details
- Record any information about times, dates and location of alleged incident(s) and names of any potential witnesses
- Record discussion about the child and/or member of staff, any decisions made, and the reasons for those decisions.

If the allegation meets the criteria in paragraph (see criteria under 'SCOPE' on page 3) the Headteacher should report it to the LADO **within 1 working day**. Referral should not be delayed in order to gather further information.

As soon as possible after an allegation is made, the parents or carers should be informed. Where possible, advice should be sought from the LADO in advance on how this should be managed.

The LADO should also be consulted about how and when the accused member of staff is to be informed of the allegation. If sharing the information with the member of staff will not impede or undermine any subsequent investigation, there should be no delay in doing so. At this early stage, it is advisable to only explain that an allegation of a child protection nature has been made. The detail of the allegation can be explained by the investigative agencies.

If an allegation requires immediate attention, but is received outside of normal office hours, the DSM should consult the Buckinghamshire Out of Hours Emergency Social Work Team or the police via 101. The DSM should also inform the LADO as soon as possible following this action.

If a police officer receives an allegation, s/he should, without delay, record it appropriately on police systems for review by the PVP Referral Centre who will liaise with the LADO. If immediate action is required, the officer should ensure a supervisor is notified. Any appropriate "golden hour" action should be taken to ensure that best evidence is gained in a timely manner.

Similarly, an allegation made directly to Social Care should be immediately reported to the LADO.

Allegations against police staff

- The following actions must be undertaken immediately:
- Where concerns are reported to the LADO first, he/she will notify the DCI for Public Protection
- Where concerns are reported directly to the police, the DCI for Public Protection must be notified
- The DCI will liaise with the Police Professional Standards Department

- The DCI will also liaise with the LADO to discuss how the case should be dealt with and whether a strategy meeting is required

Initial consideration by the Designated Senior Manager (DSM) and the Local Authority Designated Officer (LADO)

There are up to 3 strands in the consideration of an allegation:

- A police investigation of a possible criminal offence
- Social Care enquiries and/or assessment about whether a child is in need of protection or services
- Consideration by an employer of disciplinary action

The LADO and the DSM should consider first whether further details are needed and whether there is evidence or information that establishes that the allegation is false or unfounded. Care should be taken to ensure that concerns are not dismissed where a child might be confused about dates, times, locations or identity of the member of staff.

If the allegation is not demonstrably false at the outset, and there is cause to suspect that a child is suffering or likely to suffer significant harm within 24 hours the LADO should discuss the allegation with the relevant social care manager and decide whether an immediate strategy discussion is required.

The police must be consulted about any case in which a criminal offence may have been committed. Even where the threshold for significant harm is not reached, but a police investigation might be needed, the LADO should also request a strategy discussion. The issue of the risk that the adult concerned may pose to children must also be discussed.

Strategy discussions/meetings

Wherever possible, a strategy discussion should take the form of a meeting, however on occasions a telephone discussion may be justified. The following is a list of possible participants:

- LADO
- Social Care Manager to chair
- Relevant Social Worker and his/her manager
- Detective Sergeant
- DSM for the employer concerned
- Human Resources representative
- Legal Adviser where appropriate
- Senior representative of the employment agency or voluntary organisation if applicable
- Manager from the fostering service provider when an allegation is made against a foster carer
- Supervising social worker when an allegation is made against a foster carer
- Those responsible for regulation and inspection where applicable eg Ofsted
- Paediatrician where applicable
- Relevant agencies, where a child is placed or resident in another authority

Shared Risks for Children, Young People and Vulnerable Adults

Where concerns about harm to children or young people might also have implication for the safety of vulnerable adults, the initial Strategy Meeting must include relevant senior staff from adult services. This may be particularly relevant where the alleged perpetrator provides services to both sets of services users, or where there might be implications for a vulnerable adult in his/her personal life. Advice on attendance at the Strategy Meeting should be sought from the Safeguarding Manager (Adults) Buckinghamshire County Council. Plans for

further information sharing or meeting attendance should be agreed. (There are reciprocal arrangements in the Vulnerable Adults Board Procedures).

Information required for Strategy Meetings

The employer or their representative is likely to hold important information for the strategy discussion to consider. The employer (together with Human Resources where involved) should ensure that as much of the following information as possible is made available to the strategy discussions:

Regarding the alleged incident:

- Details of initial report e.g. time(s), date(s), location(s), what was said and by whom
- Possible witnesses

Regarding the member of staff:

- Personal details i.e. name, date of birth, address, ethnicity
- Employment record
- Any previous concerns/allegations
- Work context and duties
- Relationships with colleagues and pupils
- Other activities where he/she may have contact with children
- Relevant personal and family information (if known)
- Hobbies or interests e.g. photography and IT
- Awareness of procedures, relevant training undertaken

Regarding the child and his/her family (information dependent upon the nature of the organization involved):

- Personal details e.g. name, date of birth, address, ethnicity etc
- Family composition, history
- contact details
- relationship with school
- Educational ability, development and progress, including any special education needs
- Previous child protection concerns and vulnerability factors
- Whether previous allegations made
- Social relationships and activities, during and after school
- Speech, language and communications development
- Health; physical, emotional, behavioural and cognitive development

Regarding the organisation/service

- Relevant policies and procedures e.g. physical intervention, and how staff made aware of these
- Relevant training and how staff attendance is monitored

The first and any subsequent strategy discussions should:

- Ensure that where appropriate, immediate arrangements are made to protect the child/ren involved and any other child/ren (including the member of staff's own children) possibly affected
- Decide whether there should be a s.47 enquiry and/or police investigation
- Consider whether any parallel disciplinary process can take place and agree protocols for sharing information
- Consider the current allegation in the context of any previous allegations or concerns

- Where appropriate, take account of any entitlement by staff to use reasonable force to control or restrain children e.g. Section 93 Education and Inspection Act 2006 and “Use of reasonable Force” – advice for headteachers, staff and governors (2011)
- Consider whether a complex abuse investigation is applicable
- Plan enquiries if needed, allocate tasks and set time-scales
- Decide what information can be shared, with whom and when
- Consider what support should be provided to all children who may be affected
- Consider what support should be provided to the member of staff and others who may be affected
- Ensure that investigations are sufficiently independent
- Make recommendations where appropriate regarding suspension, or alternatives to suspension
- Agree protocols for reviewing investigations and monitoring progress by the LADO, having regard to target timescales
- Consider issues for the attention of senior management e.g. media interest, resource implications
- Agree dates for future strategy discussions

Allegations against staff in their personal lives

If an allegation or concern arises about a member of staff, outside of his/her work with children, and this may present a risk to children for whom the member of staff is responsible, the general principles outlined in these procedures still apply.

The strategy discussion should consider whether the concern identified justifies:

- Approaching the member of staff’s employer for further information, in order to assess the level of risk; and/or
- Inviting the employer to a further strategy discussion about dealing with the possible risks

If the member of staff lives in a different authority to that which covers his/her workplace, liaison should take place between the relevant agencies in both areas and a joint strategy discussion convened.

In some cases, an allegation of abuse against someone closely associated with a member of staff e.g. partner, member of the family, or other household member, may present a risk to children for whom the member of staff is responsible. In these circumstances, a strategy discussion should be convened to consider:

- The ability and willingness of the member of staff to adequately protect the children
- Whether measures need to be put in place to ensure their protection
- Whether the role of the member of staff is compromised

Disciplinary and Suitability Processes

The LADO and the DSM should discuss whether an internal disciplinary investigation is appropriate in cases where:

- It is clear at the outset or when decided by a strategy discussion, that a Police investigation or Social Care enquiry is not necessary, or
- The employer or the LADO is informed by Police or the Crown Prosecution Service (CPS) that a criminal investigation and any subsequent trial is complete, or that an investigation is to be closed without charge, or a prosecution discontinued, or
- Where the Police and CPS formally agree to a disciplinary investigation running concurrently with their own investigations

The discussion should consider any potential misconduct and/or suitability issues on the part of the member of staff and take into account:

- Information provided by the Police and/or Social Care
- The result of any investigation or trial
- The different standard of proof in disciplinary and criminal proceedings

If formal disciplinary action is not required, the employer should institute appropriate action within 3 working days. If a disciplinary hearing is required, and further investigation is not required, the hearing should be held within 15 working days.

If further investigation is needed to decide upon disciplinary action, the employer and the LADO should discuss whether the employer has appropriate resources or whether the employer should commission an independent investigation because of the nature and/complexity of the case and in order to ensure objectivity.

The aim of an investigation is to obtain, as far as possible, a fair, balanced and accurate record in order to consider the appropriateness of disciplinary action and/or the individual's suitability to work with children. Its purpose is not to prove or disprove the allegation.

The investigating officer should aim to provide a report within 10 working days.

On receipt of the report the employer should decide within 2 working days, whether a disciplinary hearing is needed. If a hearing is required, it should be held within 15 working days.

If at any stage, new information emerges that requires a child protection referral, the disciplinary investigations should be held in abeyance and only resumed if agreed with Social Care and the Police. Consideration should again be given as to whether suspension is appropriate in light of the new information.

Supply, contract and volunteer workers

In the case of supply, contract and volunteer workers, normal disciplinary procedures may not apply. In these circumstances, the LADO and employer should act jointly with the providing agency, if any, in deciding whether to continue to use the person's services, or provide future work with children, and if not whether to make a report for consideration of barring or other action.

Sharing information for disciplinary purposes

Wherever possible, during the course of their investigations and enquiries, Police and Social Care should obtain consent to provide the employer and/or regulatory body with statements and evidence for disciplinary purposes. Consideration should also be given to the type of evidence required and how the employer and/or regulatory body is to access such evidence e.g. transcripts from, or direct viewing of, video recorded interviews.

If the Police or CPS decide not to charge, or decide to administer a caution, or the person is acquitted, the Police should pass all relevant information to the employer without delay.

If the person is convicted, the Police should inform the employer straight away so that appropriate action can be taken.

Outcome Definitions

The following definitions should be used when determining the outcome of the allegation investigations:

- a. **Substantiated:** there is sufficient identifiable evidence to prove the allegation;

- b. **False:** there is sufficient evidence to disprove the allegation
- c. **Malicious:** there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false;
- d. **Unfounded:** there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all of the circumstances.
- e. **Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore does not imply guilt or innocence

Record keeping and monitoring progress

Employers should keep a clear and comprehensive summary of the case record on a person's confidential personnel file and give a copy to the individual. The record should include details of how the allegation was followed up and resolved, the decisions reached and the action taken. (Note: DFE statutory guidance for schools states that details of allegations that are found to have been malicious should be removed from personnel records). However, for all other allegations it is important that comprehensive records are kept. They should be kept at least until the person reaches normal retirement age or for 10 years if this is longer.

The LADO should keep comprehensive records in order to ensure that each case is being dealt with expeditiously and that there are no undue delays. The records will also assist the BSCB to monitor and evaluate the effectiveness of the procedures for managing allegations.

The LADO should monitor and record the progress of each case, either **fortnightly or monthly** depending on its complexity. This could be by way of review strategy discussions or direct liaison with the Police, Social Care, or employer, as appropriate. Where the target timescales cannot be met, the LADO should record the reasons.

If a Police investigation is to be conducted, the Police should set a date for reviewing its progress and consulting the CPS about continuing or closing the investigation or charging the individual. Wherever possible, this should be **no later than 4 weeks** after the strategy discussion. Dates for further reviews should also be agreed, either **fortnightly or monthly** depending on the complexity of the investigation.

Where a disciplinary investigation follows Police or Social Care enquiries, the subsequent decisions made by the employer must be brought back to a final strategy meeting. This is to ensure that any safeguarding issues have been brought to an appropriate resolution for each of the investigative processes engaged (i.e. criminal, child protection and disciplinary).

Unsubstantiated, Unfounded, Malicious and False Allegations

Where it is concluded that there is insufficient evidence to substantiate an allegation, or the evidence shows the allegation to be unfounded, malicious or false, the chair of the strategy discussion should prepare a separate report of the enquiry and forward this to the DSM of the employer to enable her/him to consider what further action, if any, should be taken.

False and malicious allegations are rare and may be a strong indicator of abuse taking place elsewhere in a child's life, which requires further exploration. If an allegation is demonstrably false, the employer, in consultation with the LADO, should refer the matter to Social Care to determine whether the child is in need of services, or might have been abuse by someone else.

If it is established that an allegation has been deliberately invented, the Police should be asked to consider what action may be appropriate.

Referral to Disclosure and Barring Service (DBS) or Regulatory Body

If the allegation is substantiated and the person is dismissed or the employer ceases to use the person's services, or the person resigns or otherwise ceases to provide his/her services, the LADO should discuss with the employer whether a referral should be made to the Disclosure and Barring Service (DBS) for consideration of inclusion on the barred lists; or to refer to relevant regulatory body e.g the Teaching Agency. It is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct (including inappropriate sexual conduct) that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child. In such circumstances, the duty to refer an individual to the DBS arises where an employer has removed the individual from relevant work with children or the person has chosen to cease relevant work in circumstances where they would have been removed had they not done so.

In compiling a report for a barring or regulatory body, the employer will be offered guidance by the LADO in:

- Ensuring that wherever possible, the employer receives sufficient evidence from Social Care enquiries and Police investigations
- Assisting in the interpretation of outcomes and professional opinion
- Assisting in the identification of risks to children

If a referral is to be made it should be submitted within 1 month.

Consideration will then be given to whether the individual should be barred from, or have conditions imposed in respect of working with children.

LEARNING LESSONS

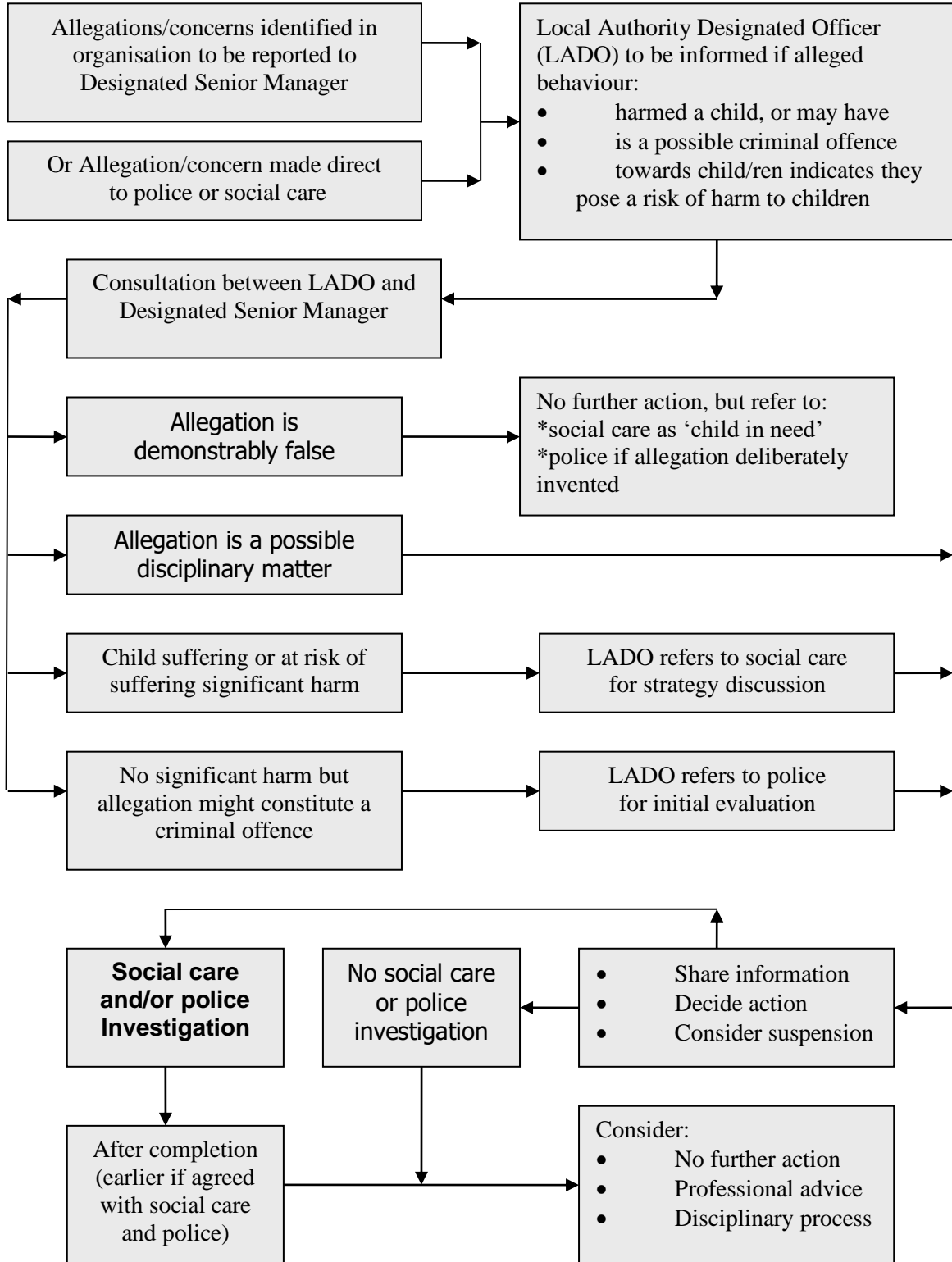
12.1 The LADOs will provide regular progress reports and statistics to the Employment and Allegations Sub Committee. The Sub Committee will determine whether there are any improvements to be recommended within specific organisations or across multi-agency procedure or practice.

13. PROCEDURES IN SPECIFIC ORGANISATIONS

13.1 All local procedures for managing allegations against staff and volunteers who work with children, should be compatible with the BSCB procedures in this document. In addition, they should provide contact details for:

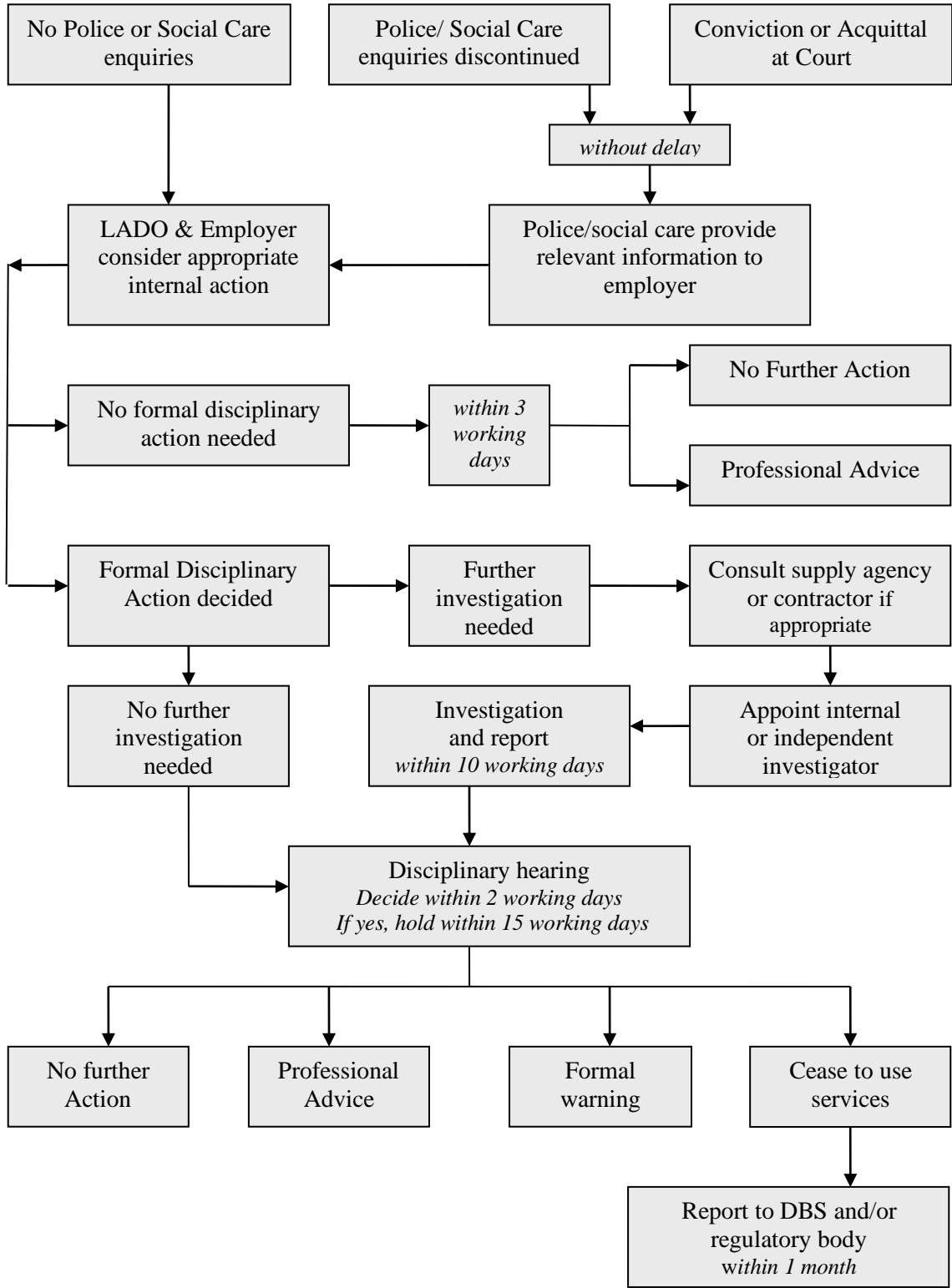
- The Designated Senior Manager in their organisation to whom all allegations should be reported;
- The Deputy for the DSM; and
- The Local Authority Designated Officer

**ALLEGATIONS/CONCERNS AGAINST STAFF AND VOLUNTEERS
CHILD PROTECTION PROCESS**



2007-11-01

**ALLEGATIONS/CONCERNS AGAINST STAFF AND VOLUNTEERS
DISCIPLINARY/SUITABILITY PROCESS**



**ALLEGATIONS AGAINST STAFF
THRESHOLDS FOR INTERVENTION**

Introductory notes:

(i) The following table has been produced to assist decision-making when considering whether to make a child protection referral. This should be used in conjunction with Working Together to Safeguard Children (2013) and the BSCB procedures. Its purpose is to ensure that wherever possible, the initial category of the allegation is ascribed on the basis of the evidence presented, rather than upon assumption or preconception.

(ii) The decision-making process should not preclude a ‘child in need’ referral at any stage.

(iii) All concerns raised about staff should include consideration of their conduct, whether in relation to any necessary disciplinary action and/or with regard to reducing their vulnerability to further allegations. This may involve an action plan for other staff too.

CATEGORY	DEFINITION	EXAMPLES	ACTION	SAFEGUARDS
1. Apparent Corroboration	Where an allegation or concern is accompanied by actual or circumstantial evidence.	A child may have a visible injury. The incident may have been witnessed. The member of staff may behave in a way that is consistent with the allegation.	A Child Protection referral must be made to the LADO and directly to the Police where this is imminent significant harm. The LADO should make a referral in accordance with BSCB child protection procedures.	The referral should be confirmed in writing The LADO should keep a copy of the referral.

CATEGORY	DEFINITION	EXAMPLES	ACTION	SAFEGUARDS
2. Possible	Where there are indications that an abusive incident might have taken place, or little evidence to disprove a child's allegations.	Where a child's allegations might be supported by other information, or where it is a matter of one word against another.	A Child Protection referral must be made to the LADO.	The referral to the LADO must be followed in writing.
3. Unlikely	The alleged incident most probably did not take place.	Where circumstantial evidence appears incompatible with the allegation.	Only clarification of the specific allegation or concern should be sought. No attempt should be made to investigate the matter at this stage.	Knowledge of both the child and member of staff concerned will be invaluable – however , the LADOs view will contribute further objectivity and help to secure consistency and appropriateness of response.
4. Demonstrably false	It is known without a doubt that an allegation is untrue. This position requires strong evidence and must not be based on preconceptions about the child or member of staff concerned.	The alleged perpetrator was known not to be anywhere in the vicinity and the child is not confused in terms of time, place or person.	Internal enquiries can be undertaken by the employer. The child's motives or misunderstandings should be addressed – involving those with parental responsibility.	The LADO must receive written notification of the allegation, the evidence and how the matter was resolved. This allows for external monitoring and further intervention if appropriate. Consideration should always be given to the possibility that the child may be displacing abuse experienced elsewhere.