

St Marychurch Pre-school

Managing allegations of abuse against a member of staff, student or volunteer Policy

Statement of intent

A concern about the safety of a child may come from a parent, child, colleague or member of the public. Allegations or concerns must be referred to the designated person without delay including those where the person making the allegation later withdraws it.

Aim

- Our aims are to carry out this policy by keeping all children safe. We ensure that all parents know how to complain about practitioners or volunteer actions within the setting, which may include an allegation of abuse.
- We follow the guidance of the Local Safeguarding Partnership when responding to any complaint that one of the practitioners or a volunteer has abused a child.

Method

- We respond to any allegation that occurred in or outside of the setting that a member of our staff, volunteer or student 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 indicated they are unsuitable to work with childrenWhere a member of staff or volunteer is involved in an incident outside of the setting which did not involve children, but could have an impact on their suitability to work with children due to transferrable risk, such as domestic violence at home.
The setting needs to understand what triggered the actions involved and could a child in the setting trigger the same reaction, therefore being put at risk.

All staff report allegations to the Designated Safeguarding Lead, or Designated Safeguarding Lead committee member

- We respond to any disclosure by children or practitioner that abuse by one of the practitioners may have taken, or is taking place, by first recording the details of any such alleged incident.
- The Designated Safeguarding Lead will refer any such complaint as soon as possible and within one working day (and within 14 days of the allegation being made) to the

Local Authority Designated officers (LADO) main switchboard 01803 208567

Ivan Sullivan 01803 208541 / 07791 133607

Email: cpunit@torbay.gov.uk

**cpunit@torbay.gcsx.gov.uk (secure mail) Out of hours telephone number 01803 524519
03004564876 (EDS Emergency Duty Services)**

Line for hearing impaired SMS No: 07810548004

Contact Ofsted to inform them of the allegation on **0300 123 1231**

- The setting will contact the LADO or equivalent if the LADO cannot be contacted or on leave and will use the out of office hours numbers.
- The Designated Safeguarding Lead and LADO will discuss what immediate actions are to be taken to ensure the safety of the children and staff in the setting and what information needs to be shared and gathered.
- The Designated Safeguarding Lead must take steps to ensure the immediate safety of children, parents and staff on that day within the setting.
- No investigation will take place unless LADO has given consent for this to occur, although the person responding to the allegation needs to have an understanding of what has been alleged.
- Our policy is to suspend the practitioner and the setting will pay the contracted hours for the duration of the investigations; this is not an indication of admission that the alleged incident has taken place, but is to protect the practitioner as well as children and families throughout the process.
- Should the allegation be proven the contract with the practitioner will be terminated.
- The Designated Safeguarding Lead will make a child protection referral if required. The LADO and the local safeguarding children's services can advise on whether one is required.

The Designated Safeguarding Lead will confirm with the LADO the following points.

- The actions the designated person must take next and when and how the parents of the child are informed of the allegation.
- Whether or not the LADO believes a criminal offence has taken place and whether the police need to be informed and if so by whom.
- Ask how the LADO wishes to proceed whether they are happy for the setting to pursue an internal investigation with, or without input from the LADO.
- Whether the LADO has any further actions the setting should take to ensure the safety of the children and staff attending the setting.
- The Designated Safeguarding Lead will record the discussion with the LADO noting dates, types of contact, advice given, action agreed and update the child's personal file.
- Parents are not normally informed until discussion with the LADO has taken place, however in some circumstances the designated person may need to advise parents of an incident involving their child straight away, such as when the child has been injured and requires medical treatment.
- The Designated Safeguarding Lead ensures the staff fill in the Incident Witness Statement log

If the LADO after discussion with the designated safeguarding lead, decides that the allegation has some credence and there is cause to suspect that a child is suffering or likely to suffer significant harm, then the LADO will normally refer the allegation to children's social care.

The Designated Safeguarding Lead/staff) do not investigate the matter unless the LADO has specifically advised them to carry out an internally investigate.

- The Designated Safeguarding Lead will liaise with the LADO about notifying Ofsted and if they are to be informed the Designated Safeguarding Lead will inform Ofsted as soon as possible, but no later than 14 days after the event has occurred.
- The Torbay Notification to Local Authority Designated Officer form will be completed and sent by the Designated Safeguarding Lead to the LADO or the available equivalent person.

Managing allegations of abuse against a member of staff, student or volunteer policy continued...

- The Designated Safeguarding Lead will also carry out a risk assessment around the area of concern/incident that has occurred.
- 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 policy. The Designated Person must contact the agency following advice from the LADO.

Allegations against the designated safeguarding lead

- If a member of staff/parent has concerns that the Designated Safeguarding Lead has behaved in a way that indicates they are not suitable to work with children as listed above, this is reported to the Designated Safeguarding Lead for the committee, Rebecca Harries who will investigate further.
- Whilst there is an investigation the Designated Safeguarding Lead of the committee will ask the Deputy Safeguarding Lead to take on the role of the Designated Safeguarding Lead.

Recording of information

All allegations/concerns are recorded by the practitioner who has observed the incident. Other forms are completed by the Designated Safeguarding Lead. This information is placed in a child's safeguarding file and locked in the safeguarding cupboard

- If the allegation refers to more than one child, this is recorded in each child's safeguarding file

Forms to be used

Record of complaints made against staff regarding the mistreatment of a child

Record of information sent to agencies/parents following complaints made against staff regarding the mistreatment of a child

Investigation Outcome Report

Incident Witness statement

Information about restraining a child

LADO forms

Body Map form

Practitioners involvement

- The practitioner against whom the allegation has been made will be sent home
- The LADO will be informed and the police if deemed necessary.
- The practitioner and staff who are aware of the incident are not to speak to the Press or parents, as any discussions could prejudice their case and is handled by the LADO.
- After discussion with the LADO and if allowed the Safeguarding Designated Lead will interview the practitioner and information recorded on the Record of complaints made against staff regarding the mistreatment of a child.
- The practitioner can attend the interview with a friend of legal advisor.
- If the allegation is dismissed the practitioner can return to the setting, however if the allegation needs further investigation they will be requested to attend further interviews with either the LADO, Police or Pre-school.
- The practitioner can use the same contact details for support and advice as the detailed above.

Disclosure and Barring Service

- A referral will be made to the Disclosure and Barring Service should the allegation been proven and if there is a likelihood that child abuse, or inappropriate behaviour towards a child may reoccur. Also if any other behaviour may suggest the practitioner is unsuitable to work with children, including the use of drugs or alcohol, or should other concerns be raised during suitability checks then a referral will also be made.

Escalating concerns

- Should any practitioner believe a child is in danger due to the behaviour of another practitioner, or volunteer, at any time then they must immediately report this concern to the Designated Safeguarding Lead.
 - If the practitioner making the allegation is not happy that the Designated Safeguarding Lead has not taken the appropriate action to protect the child then they must report the incident to the Designated Safeguarding Lead on the committee.
 - If there are still concerns that the appropriate action has not been taken then the practitioner must follow the steps on the Whistle Blowing policy.
- We co-operate entirely with any investigation carried out by social services in conjunction with the police.
 - Our Designated Safeguarding Lead who co-ordinates child protection issues is **Otilie Evans**
 - Our designated officer (a nominated person on the management committee) who oversees this work is **Rebecca Harries**

This policy is to be read in conjunction with the following policies:-

Child Safeguarding Policy
Safer Recruitment, Staff and Employment Policy
Whistle Blowing Policy

Signed: _____

Position: _____

Dated: _____

Policy to be reviewed and signed annually.

We aim to provide a safe, stimulating, caring, happy Pre-school where all children and their families are welcome. We provide a curriculum based on the Early Years Foundation Stage using individual children's interest and needs.