

035 Dealing with allegations against staff and volunteers procedure

Statement of intent

The Staff and Voluntary Management Committee of Grindleford and Eyam Playgroup (GEP) intend to create within the setting an environment in which children are safe from abuse and in which any suspicion of abuse is promptly and appropriately responded to. We also intend to ensure that as far as practicable staff are protected from unfounded allegations of abuse.

The Designated Safeguarding Lead (DSL) is responsible for dealing with allegations against a member of staff or volunteer. Concerns relating to the DSL or members of the management committee should be discussed with the Chair of the management committee (Employer) or the Local Authority Designated Officer (LADO). Refer to Appendix 1 Derbyshire LADO Process flow chart.

Raising a concern

We will adhere to the procedures set out under [Allegations Against Staff, Carers and Volunteers](#) this document can be found on the Derby City and Derbyshire Safeguarding Childrens website.

We will ensure that the allegations threshold is considered, where it is alleged that anyone working in the playgroup, including supply staff and volunteers 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 they may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

This may also mean a referral to the Police.

A referral to the Police will also apply regardless of whether:

- the playgroup is where the alleged abuse took place
- the allegations are against a member of staff who is no longer teaching or working in early years and childcare
- these are historical allegations of abuse taking place in the playgroup.

Where it is felt it meets the criteria, or we require advice, we will make a referral in every case to the Local Authority Designated Lead (LADO), using the [Derby and Derbyshire LADO Referral Form](#) and that this is done by an appropriate member of the Leadership Team of the playgroup within 24 hours. **See Flow Chart in Appendix 1**

Where the allegations are substantiated, we will ensure any specific actions are undertaken on the management of this outcome and during the exit arrangements, including referring the individual to the Disclosure and Barring Service. Further information can be found in part four of [Keeping Children Safe in Education](#) on the website [Making barring referrals to the DBS](#)

Where the allegations are not substantiated in all cases the LADO has an advisory role to establish any next steps.

We will ensure we have followed all the necessary duties and processes under this process and under our Whistle Blowing procedure if this applies.

Low level concern

Allegation/concerns that do not meet the harms threshold are referred to as 'low level concerns'.

A low-level concern; for example a staff member engaging with a child on a one-to-one basis in a secluded area or photographing a child on their mobile phone will be dealt with promptly. The individual will be reminded what constitutes appropriate behaviour and further training/support may be required. A record of the incident(s) and the outcome will be retained on the individual's personnel file. These records should be regularly reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified.

Record keeping

We have an obligation to preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry (further information can be found on the IICSA website).

The following details will be recorded immediately using Appendix 2 Dealing with allegations reporting form:

Date and time of incident/disclosure

Date and time of the report

Name & role of person to whom the concern was originally reported and their contact details

Name & role of person making the report (if different to the above) and their contact details

Name and age of child

Details of parent/carer and any siblings

Name of individual involved

The names of any witnesses

When and where the alleged incident took place (either inside or outside the workplace)

Details of the incident – including what was done and said in the child's or adult's own words

Details of any injuries to any of the parties involved

What steps if any were taken

If referral not made note reasons here

A copy of the LADO referral form should be kept with this form.

A running record must be kept and attached to this form, logging all actions, conversations, telephone calls, correspondence that are made as a result of the concern. The Chronology of significant events form (034 GEP Safeguarding Appendix 6) could be used for this purpose. The entries must be dated and signed by the person carrying out that action. If an entry is made on behalf of someone else this must be made clear on the log. Any attempts at making contact with third parties must also be recorded as must any details of messages left.

Records relating to concerns about an adult's behaviour should be kept in the person's confidential personnel file and a copy should be given to the individual. The record should be retained at least until the individual has reached retirement age or for a period of 10 years from the date of the allegation if that is longer. Details of allegations that are found to have been malicious should be removed from personnel records.

The record should include:

- what the allegations were
- how the allegations were followed up
- how things were resolved

Grindleford and Eyam Playgroup - procedure

- any action taken
- decisions reached about the person's suitability to work with children.

Keeping these records will enable us to give accurate information if we are ever asked for it. For example:

- in response to future requests for a reference
- if a future employer asks for clarification about information disclosed as part of a vetting and barring check
- if allegations resurface after a period of time.

References

We would seek guidance from LAW-CALL 24 hour legal helpline service on 01455 255 205 in regard to including allegations in future references. Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious, should also not be included in any reference.

Reporting

Ofsted must be informed of the incident within 14 days. This must be done by completing the on-line referral form available here: [Report a serious childcare incident - GOV.UK \(www.gov.uk\)](https://www.gov.uk/report-a-serious-childcare-incident)

Our insurance company should also be informed of the situation, without sharing any confidential information in case legal advice/representation may be needed in the future.

Protecting staff/volunteers from unfounded allegations

In order to protect staff/volunteers from unfounded allegations of abuse we will ensure that:

- When recruiting staff we will ensure that any gaps in Employment History are questioned and adequately accounted for and that References are taken up for all staff before positions are confirmed.
- Only staff who have been DBS checked will be allowed to take children to the toilet, or have sole care of the children. Staff/adults awaiting their DBS clearance will be supervised around the children at all times (including visitors).
- New staff members undergo an induction process where the Supervisor/Employer will discuss aspects of Child Protection/Safeguarding including how to protect themselves from unfounded allegations.
- New staff members will receive copies of the setting policies and procedures prioritising Child Protection/Safeguarding and Achieving Positive Behaviour policies.
- Staff appraisal/supervisory meetings give staff opportunities to discuss concerns about behaviour, procedures or the quality of care provided. Staff are aware of our Whistleblowing procedure.
- Where staff are left in sole supervision with a small group of children – e.g. during story, then such activities are held in rooms/areas with visual access through windows or doors, enabling other staff members to monitor and support supervision by being able to see into the rooms/areas.
- During Outdoor play we will try to ensure that there will be 2 members of staff in attendance. During free flow play the number of staff will be set in accordance with child ratios.
- During Forest School sessions staff are deployed around the site to ensure the children are safe. The session leader will monitor staff and ensure they remain within sight of another member of the team. Staff are mindful of safeguarding when setting up the toilet area to ensure that it can be monitored.
- All staff are encouraged and supported to attend appropriate training in Child Development, Child Protection/Safeguarding and Behaviour Management.

Grindleford and Eyam Playgroup - procedure

This policy should be read in conjunction with:

034 GEP Child protection policy and safeguarding procedures

036 GEP Whistle blowing procedure

[Derbyshire Safeguarding procedures manual: Allegations Against Staff, Carers and Volunteers](#)

[Keeping children safe in education](#)

[Making barring referrals to the DBS](#)

This procedure was adopted at a meeting of Grindleford and Eyam Playgroup held on:

Date to be reviewed:

Signed on behalf of the committee:

Name of signatory:

Role of signatory: