

Allegations against a staff member & whistle blowing



Allegations against staff

All organisations should have a designated senior manager who deals with allegations, in schools, the statutory guidance 'Keeping Children Safe in Education (2021)' states that governing bodies and proprietors should appoint a member of staff of the school's or college's leadership team to the role of designated safeguarding lead. All staff should be instructed that any allegation should be reported immediately to the designated senior manager. Written safeguarding procedures should reflect this guidance.

On being advised of an allegation which meets the criteria, the designated senior manager should contact the Local Authority Designated Officer (LADO) within 1 working day.

Phone Somerset Direct on 0300 123 2224 for a referral

The LADO's role is to provide advice and guidance to organisations dealing with allegations, to liaise with the police and other agencies, and to monitor the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

All referrals should be made in the first instance by phone to Somerset Direct indicating that you wish to refer an allegation against an adult who works with children. Please follow up all referrals using the LADO Reporting Form below.

When an allegation is made against a member of staff, set procedures must be followed. It is rare for a child to make an entirely false or malicious allegation, although misunderstandings and misinterpretations of events do happen.

A child may also make an allegation against an innocent party because they are too afraid to name the real perpetrator. Even so, we must accept that some professionals do pose a serious risk to children and we must act on every allegation.

Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly and consistently and to be kept informed of its progress. Suspension is not the default option and alternatives to suspension will always be considered. In some cases, staff may be suspended where this is deemed to be the best way to ensure that children are protected. In the event of suspension Clare House will provide support and a named contact for the member of staff.

The full procedures for dealing with allegations against staff can be found in Keeping Children Safe in Education (DfE, 2015) and in the Child Protection Policy under Managing Allegations. Local Authority Designated Officer (LADO) and Human Resources can provide advice.

Staff, parents and management group are reminded that publication of material that may lead to the identification of a staff member who is the subject of an allegation is prohibited by law. Publication includes verbal conversations or writing, including content placed on social media sites

Allegations concerning staff who no longer work at the setting or historical allegations will be reported to the police.

The procedure allows Employees, Parents/Carers and outside agencies to raise concerns about the Management or Staff of Clare House.

If the member of staff believes at any time during this process that a child or children may be in danger due to the actions or otherwise of a member of staff or Manager, and that appropriate action to protect them has not been taken he or she may report those concerns directly to OFSTED: 03001231231

As a first step, you should normally raise concerns with your Nursery manager, Jayne Windsor, or the Deputy Manager, Karen Robotham Where this is not possible due to an allegation being towards those named. You may Contact:

Marie Baker (Nursery chair person) on: 07736472285 or contact Somerset Direct on 0300 123 2224

Managing Allegations

We are aware of the possibility of allegations being made against members of staff or volunteers that are working or may come into contact with children and young people whilst in our setting. Allegations will usually be that some kind of abuse has taken place. This could include inappropriate behaviour displayed by members of staff or other persons working with the children such as inappropriate sexual comments, excessive one to one attention beyond the requirements their role and responsibilities, inappropriate sharing or images. They can be made by children and young people or other concerned adults. Allegations are made for a variety of reasons:

- Abuse has actually taken place.
- Something has happened to the child that reminds them of a past event – the child is unable to recognize that the situation and people are different.
- Children misinterpret language or actions.
- Some children recognise that allegations can be powerful and if they are angry about something they can make an allegation as a way of hitting out.
- An allegation can be a way of seeking attention or reaching out for help about other aspects of their lives.

If an allegation is made against an adult in a position of trust whether they be members of staff or volunteers this should be brought to the immediate attention of the DSL who will advise the Chair of Trustees/Committee. In the case of the allegation being made against the DSL this will be brought to the immediate attention of the Chair of the Management Committee . The DSL /Chair of the Management Committee will need to discuss with the Local Authority Designated Officer (LADO) the nature of the allegations made against the adult, in order for the appropriate action to be taken and they will also consult the settings HR consultants Peninsula. This may constitute an initial evaluation meeting or strategy discussion depending on the allegation being made. The Manager/Chair of committee will need to:

- Refer to the Local Authority Designated Officer (LADO) immediately and follow up in writing within 48 hours.
- Consider safeguarding arrangements of the child or young person to ensure they are away from the alleged abuser.
- Contact the parents or carers of the child/young person if advised to do so by the LADO.
- Consider the rights of the staff member for a fair and equal process of investigation.
- Advise Ofsted of allegation within 14 days of the allegation
- Consult with Peninsula to ensure that the appropriate disciplinary procedures are followed including whether suspending a member of staff from work until the outcome of any investigation if this is deemed necessary.
- Act on any decision made in any strategy meeting.
Advise the Disclosure and Barring Service 3where a member of staff has been disciplined or dismissed as a result of the allegations being founded.

Whistle blowing if you have concerns about a colleague

Staff who are concerned about the conduct of a colleague towards a child are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career. All staff must remember that the welfare of the child is paramount. Clare House's whistleblowing policy enables staff to raise concerns or allegations, initially in confidence and for a sensitive enquiry to take place.

All concerns of poor practice or possible child abuse by colleagues should be reported to the DSL .
Complaints about the Manager should be reported to the Chair of the management committee .

Staff may also report their concerns directly to children's social care/Local Authority Designated Officer or the police if they believe direct reporting is necessary to secure action.

Please see the flow chart for whistle blowing concerns

