

# PROCEDURES FOR MANAGING ALLEGATIONS AGAINST PEOPLE WHO WORK WITH CHILDREN

## POLICY

My Choice policy and procedures regarding allegations against staff have been developed through the Sussex Child Protection and Safeguarding Procedures.

These procedures are based on the framework for dealing with allegations of abuse made against a person who works with children, Chapter 2 of Working Together to Safeguard Children 2018

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/942454/Working\\_together\\_to\\_safeguard\\_children\\_inter\\_agency\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942454/Working_together_to_safeguard_children_inter_agency_guidance.pdf)

and also **DfE statutory guidance Keeping Children Safe in Education September 2020**.

They should be followed by all organisations providing services for children and staff or volunteers who work with or care for children.

Compliance with these procedures will help to ensure that allegations of abuse are dealt with expeditiously, consistent with a thorough and fair process. Local Safeguarding Children Boards should therefore have arrangements in place for monitoring and evaluating their effectiveness.

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 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.

These include concerns relating to inappropriate relationships between adults and young people or children, 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 (*section 16-19 Sexual offences Act 2003; grooming, i.e. meeting a child under 16 with intent to commit a relevant offence (section 15 Sexual Offences Act 2003)*); other grooming behaviour giving rise to concerns of broader child protection nature e.g. Inappropriate text, email messages or images, gifts, socialising, etc. and possession of abusive images of children.

## Employers or Organisations Responsibilities:

- My Choice School has a DSL (Deputy Headteacher) who is responsible for ensuring that procedures in relation to allegations and concerns are in place and;
- My Choice School also has School Management Team (Headteacher DDSL and Head of Education) to whom allegations or concerns should be reported in the absence of the DSL or where that person is the subject of the allegation or concern.

- My Choice have a Senior Management Team to whom allegations or concerns should be reported in the absence of the DSL, School Management Team or where that person is the subject of the allegation or concern.

The DSL for the school is the Deputy Headteacher (Tom Parks) who will lead on all LADO referrals. The DSL will be supported in this by the Head of Education (Annie Murphy), Headteacher (Clare Wye) and Senior Management Team – Dawn Ives, Director / RI and Debbie Woodgate, Operations Manager

The Local Authority Designated Officer (LADO) to report concerns to:

**West Sussex Local Authority: LADO**

Child Protection Advisor (Children's Safeguarding)

[West Sussex County Council](#)

Room 41, South Wing, Durban House, Durban Road, Bognor Regis, PO22 9RE

**Claire Coles**

[claire.coles@westsussex.gov.uk](mailto:claire.coles@westsussex.gov.uk)

**Jenny Coker**

[jenny.coker@westsussex.gov.uk](mailto:jenny.coker@westsussex.gov.uk)

**Sally Arbuckle**

[sally.arbuckle@westsussex.gov.uk](mailto:sally.arbuckle@westsussex.gov.uk)

Telephone numbers: 0330 2223339

**Surrey local Authority: The LADO Service**

Fairmount House, Bullhill, Leatherhead, Surrey. KT22 7AH.

Telephone number: 0300 123 1650

Email: [LADO@surreycc.gov.uk](mailto:LADO@surreycc.gov.uk)

**East Sussex local Authority: Amanda Glover LADO and Operations Manager**

Telephone number: 01323 466620

Email: [Amanda.Glover@eastsussex.gov.uk](mailto:Amanda.Glover@eastsussex.gov.uk)

**PROCEDURE**

**Persons to be Notified**

As soon as possible after an allegation is made, My Choice should inform the parent / carer of the child involved. This is to be achieved in consultation with the Social Worker and LADO. The local authority designated officer should be consulted first to ensure that this does not impede the disciplinary or investigative process.

The parent /carer 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 where there is no criminal prosecution. This will include the outcome of any disciplinary process, but not the deliberations of, or the information used in, a hearing.

In principle My Choice will as soon as possible, inform the person who is subject to the allegation or the concern relates to about the nature of the allegation, how enquiries will be conducted and the possible outcome. Advice should first be sought from the local authority designated officer as police and/or social care may want to impose restrictions on the information that can be provided.

The member of staff should:

- Be treated fairly and 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; and
- If suspended, be kept up to date about events in the workplace.
- Ofsted should also be informed of all allegations or concerns made against a member of staff in a children's home

Refraining or suspension should be considered neutral acts and should not be automatic. They should be considered in any case where;

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

### **Organised and Historical Abuse**

- Investigators should be alert to signs of organised or widespread abuse and / or the involvement of other perpetrators or institutions. They should consider whether the matter should 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. 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 and a strategy discussion held.

### **Whistle Blowing**

All staff should be made aware of My Choice's whistle-blowing policy and feel confident 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, they should report the matter to the local authority designated officer.

### **Initial Responses**

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

The person should not:

- Investigate or ask leading questions if seeking clarification;
- Make assumptions or offer alternative explanations; or
- Promise confidentiality, but give assurance that the information will only be shared on a 'need to know' basis.

The person should:

- Make a written record of the information (where possible in the child / adult's own words), including the time, date and place of incident(s), persons present and what was said;
- Sign and date the written record; and
- Immediately report the matter to the DSL Tom Parks, in in his absence the Headteacher, Clare Wye, or the Head of Education, Annie Murphy.
- In the absence of the Headteacher or Head of Education, or where the Headteacher or Head of Education is the subject of the allegation, report to Dawn Ives, Director / RI or Debbie Woodgate, Practice Manager.

### **Initial Action by the Designated Senior Manager**

When informed of a concern or allegation, the designated senior manager should not investigate the matter or interview the member of staff, child concerned or potential witness.

The designated senior manager 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 incident(s) and names of any potential witnesses; and
- Record discussions about the child and/or member of staff, any decisions made, and the reasons for those decisions.

If the allegation meets the criteria set out in the first paragraph the designated senior manager should report it to the local authority designated officer within 1 working day.

If an allegation requires immediate attention, but is received outside normal officer hours, the designated senior manager at My Choice should consult with the social care emergency duty team or local police and inform LADO as soon as possible.

If an allegation results in an outcome as identified by LADO determining that disciplinary and dismissal is the course of action then the HR Manager will meet with the Director / RI and they will record that the DBS will be informed.

The Director will lead on contacting and informing the DBS.

**For further detailed information regarding this policy and Sussex guidelines please see the Sussex Child Protection and Safeguarding Procedures on line.**

<https://sussexchildprotection.procedures.org.uk/page/contents>

[https://sussexchildprotection.procedures.org.uk/assets/clients/1/Documents/alleg\\_flowcharts\\_cpp.pdf](https://sussexchildprotection.procedures.org.uk/assets/clients/1/Documents/alleg_flowcharts_cpp.pdf)

**Policy Link**

Safeguarding

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