

Safeguarding Children: Dealing With Allegations Guidance for those Supporting Staff and Volunteers

Experience shows that children can be abused and harmed by those who are supposed to be caring for them. It is essential that children do not feel inhibited from reporting abuse against them by professionals, staff or volunteers. Children have a right to be treated properly and any incident where a child or adult feels that a person in a position of trust has crossed the boundary of acceptable behaviour, should be reported.

All individuals who work with children must ensure that the environment in which they work or live supports and encourages children and adults to make honest reports of unacceptable behaviour.

Contact Details

Local Authority Complaints Officer

feedback@nelincs.gov.uk

01472 326427/01472326426

Good Practice in dealing with allegations

Being under investigation is always stressful, but agencies can help by:

- Minimising Delay
- Providing you with written information
- Being open and honest
- Ensuring access to independent support

If you are unhappy about the way you have been treated by your employer, you should refer to your Employer's Grievance Policy. If you are unhappy about the way the investigation was conducted, you should contact the Local Authority's Complaints Officer on the number above or at feedback@nelincs.gov.uk

Dealing with an Allegation

This leaflet aims to provide information to those supporting staff and voluntary workers if an allegation is made against them. It also provides information about other situations where there is a concern about the boundaries of acceptable behaviour with a child. Becoming the subject of an allegation will always be stressful for the member of staff or volunteer concerned and his or her family. The challenge for all concerned is to ensure that children are affectively safeguarded and that their welfare is promoted, whilst at the same time treating the member of staff or volunteer fairly and honestly.

What Happens When an Allegation is made?

When an allegation is made about a member of staff or volunteer, the individual is likely to feel stressed and may also feel aggrieved. The employer will refer the matter to the Local Authority's Designated Officer whose role it is to offer advice in these circumstances.

The Local Authority's Designated Officer will discuss the concerns with the employer and if the concerns are of a serious nature, they will make a referral to the Police and/or Children's Services who will undertake further enquiries.

North East Lincolnshire's Safeguarding Children Partnership (SCP) provides detailed guidance to all agencies about the procedures to be followed. You can access these on the SaferNEL Website:

<http://www.safernel.co.uk/>

What form does the enquiry take?

There are 3 related, but separate sets of enquiries which need to take place. Each differs in terms of focus and can have different outcomes. The 3 types of enquiries are:

- Child Protection Enquiries – relating to the safety and welfare of any children who are or who may have been involved;
- A Police investigation into a possible offence;
- Disciplinary Procedures; where it appears that the allegations may amount to misconduct or gross misconduct on the part of the staff.

The employer should aim to inform the member of staff or volunteer about the existence of the allegation as soon as they receive it. However, it may not always be possible to do this until after consulting with other agencies. In most circumstances, the member of staff or volunteer can expect to be informed of the substance of the allegation within 3 days of the employer receiving it.

What happens if everyone thinks the allegation is serious?

Children's Services and the Police will hold a strategy meeting to agree what type of enquiries will need to take place and what is required to safeguard any children involved. It is unlikely that the member of staff or volunteer will be part of the strategy meeting, although the employer will usually be involved and possibly other agencies involved with the child.

How will the accused person member of know what has been decided?

The employer will keep the staff member or volunteer informed of what type of enquiries will be carried out and the expected timescales. The staff member or volunteer can expect to be treated fairly, to be informed verbally and in writing about the nature of the concerns and to be informed of all decisions as soon as possible. It is usual practice for the professionals involved to review the progress of any investigation regularly until a conclusion is reached and/or it is satisfactorily resolved.

Where can the member of staff or volunteer get independent support from?

Independent support can be a great help and benefit to the member of staff or volunteer. They may be able to contact some of the following:

- Union or Professional Association
- Occupational Health or Employee Welfare Service
- General Practitioner

The member of staff / volunteer should have the opportunity to discuss for independent support with the employer, manager or senior leader.

Will I be suspended from work while enquiries are ongoing?

Employers should not suspend persons accused of an allegation automatically, without careful thought. The employer will need to consider: is there a cause to suspect that a child is at risk of significant harm? Does the allegation warrant a police investigation? Are the concerns so serious that there might be grounds for dismissal? The member of staff's pay may be affected depending on your employer's policy.

Will details of the Investigation be kept on the member of staff's or volunteer's work records or shared with anyone else?

It is important that employers keep a summary of any allegations made. This will include details of how the allegation was followed up and resolved along with any actions taken and decisions reached. These should be kept on a person's confidential personnel file. However, a copy of information kept on file about the member of staff or volunteer should be made available to them on requesting line with employer's procedures

The purpose of the record is to enable accurate information to be provided in response to any future requests for references. It also provides classification in cases where a future Criminal Record Check reveals information from Police that an allegation was made, but that it did not result in a prosecution or conviction.

The Safeguarding Children Partnership will keep a record of all allegations against persons working with children for monitoring purposes. They will hold personal information, the nature of the allegation and the outcome. This information must be stored securely in line with the Data Protection Act requirements.