



Allegations Against Professionals

This policy sets out the procedure and guidance for investigation by higher management in the event of any allegations made against staff or babysitters registered with SafeCircle Sitters.

The aims of this policy are:

- To ensure that children who access the SafeCircle service, and any other children who may come to our attention, are protected and supported following an allegation that they may have been abused or harmed by an adult from within SafeCircle.
- To ensure that there is a fair, consistent and robust response to any allegations made, so that the risk posed to other children by an abusive individual is managed effectively.
- To facilitate an appropriate level of investigation into allegations, whether they are said to have taken place recently, at any time the person in question has been employed by/volunteered with SafeCircle or prior to the person's involvement with SafeCircle.
- To ensure that SafeCircle continues to fulfil its responsibilities towards members of staff, or babysitters who may be subject to such investigations.
- To ensure that individuals are able to continue in their role if they have been at the centre of allegations that are assessed to be unfounded or deemed to be malicious in origin.

This policy applies to:

- Any member of staff, or babysitters whom an allegation of abuse has been made.
- Anyone in a managerial position (including the named person for child protection, or founders) who may be required to deal with such allegations and manage investigations that result from them.

How SafeCircle might find out about a possible case of abuse/harm:

Ways that allegations might be made against an adult working for or involved with SafeCircle includes:

- A child or parent/carer making a direct allegation against a member of staff or babysitter.
- A child or parent/carer expressing discomfort with the behaviour of a member of staff or babysitter that falls short of a specific allegation.
- Another member of staff or babysitter directly observing behaviour that is a cause for concern.
- SafeCircle being informed by the police or another statutory authority that a member of staff or babysitter is the subject of an investigation.
- Information emerging from the renewal or updating of a DBS check that suggests that a member of staff, or babysitter may have committed an offence or been involved in an activity that could compromise the safety of the children they work with at SafeCircle.
- A staff member or babysitter telling the organisation that they have been the subject of allegations, have actually harmed a child, or committed an offence against (or related to) a child.

What to do if an allegation is made or information is received:

The concern needs to be discussed immediately with the lead for child protection Keeley Black. The lead child protection officer should then, in a sensitive manner, explain to the person, in private, that there has been a complaint made against him/her. The details of the complaint should not be given at this stage. The person should be informed that further information will be provided as soon as possible but that, until consultation has taken place with the relevant outside agencies and within the organisation, they should not be working with children therefore their status as a SafeCircle sitter has been suspended. Consideration will need to be made to the suitability of any suspension for other staff members not working directly with children, this will be done alongside relevant agencies.

The information provided to him/her at this stage will need to be very limited. This is because discussions need to take place first with other agencies who may need to be

involved, such as the local authority children's social care department, the police or the local authority designated officer (LADO).

If the person is a member of a trade union or a professional organisation, he/she should be advised to make contact with that body.

Arrangements should also be made for the member of staff or babysitter to receive ongoing support in line with the responsibilities that SafeCircle have towards his or her welfare.

Conducting an investigation:

Once any urgent necessary steps have been taken, attention can be given to dealing with the full implications of the allegations.

There are up to three possible lines of enquiry when an allegation is made:

- A police investigation of a possible criminal offence.
- Enquiries and an assessment by the local authority children's social care department about whether a child is in need of protection.
- Investigation by an employer and possible disciplinary action being taken against the person in question. This includes implementing a plan to manage any risk posed by the individual to children and young people in the workplace until the outcome of the other investigations and enquiries is known.

Reporting an allegation or concern:

If the allegation is made by a child or family member to a member of staff, or if a member of staff observes concerning behaviour by a colleague at first hand, this should be reported immediately to the named person for child protection; Keeley Black to take the lead on handling the allegation.

If a staff member has received an allegation or observed something of concern about their own manager, the staff member should report the allegation or concern to the person more senior to their manager.

If the person who is the subject of the concern is a named person for child protection (Keeley Black), the matter should be in this situation reported directly to the local authority safeguarding children's team.

When to involve the local authority designated officer:

The named person should report the allegation to the local authority designated officer (LADO) within one working day if the alleged behaviour suggests that the person in question:

- May have behaved in a way that has harmed or may have harmed a child.
- Has possibly committed a criminal offence against or related to a child.
- Has behaved towards a child in a way that suggests that he/she may be unsuitable to work with children.

This should also happen if the individual has volunteered the information him/herself.

The LADO may be told of the allegation from another source. If this is the case, then the first information received by SafeCircle may be when the LADO makes contact in order to explain the situation.

Whoever initiates the contact, there will be discussions between the LADO and SafeCircle's named person to share information about the nature and circumstances of the allegation, and to consider whether there is any evidence to suggest that it may be false or unfounded.

If there is any reason to suspect that a child has suffered, or be likely to suffer, significant harm and there are no obvious indications that the allegation is false, the LADO, in cooperation with SafeCircle, will make an immediate referral to the local authority children's social care department to ask for a strategy discussion.

The LADO and named person will take part in the strategy discussion. The named person and any other required representatives from SafeCircle should cooperate fully with this and any subsequent discussions with the children's social care department.

It should be asked from the outset that the children's social care department shares any information obtained during the course of their enquiries with SafeCircle if it has any relevance to the person's employment.

Dealing with a criminal offence:

If there is reason to suspect that a criminal offence may have been committed (whether or not the threshold of 'significant harm' is reached), the LADO will contact the police and involve them in a similar strategy discussion, which will include the named person for child protection.

The named person and any other required representatives from SafeCircle should cooperate fully with any discussion involving the police and should ask for similar cooperation from the police in terms of the sharing of information relevant to the person's employment.

Discussions with the police should also explore whether there are matters that can be acted on in a disciplinary process while the criminal investigation takes place, or whether disciplinary action must wait until the criminal process is completed.

Talking to parents about the allegation or concern:

If the child's parents/carers do not already know about the allegation, the named person and the LADO need to discuss how they should be informed and by whom.

Talking to the person who is the subject of the allegation:

The person at the centre of the allegation should be informed as soon as possible after the initial consultation with the LADO.

However, if a strategy discussion with children's social care or the police is required, this might have to take place before the person concerned can be spoken to in full. The police and children's social care department may have views on what information can be disclosed to the person and this will need to be followed.

Only limited information should be given to the person in question, unless the investigating authorities have indicated that they are happy for all information to be disclosed or unless there is no need for involvement from these statutory agencies.

The named person will need to keep in close communication with the LADO and the other agencies involved in order to manage the disclosure of information appropriately.

Taking disciplinary action:

If the initial allegation does not involve a possible criminal offence, the named person and managing directors for SafeCircle should still consider whether formal disciplinary action is needed.

If the local authority children's social care department has undertaken any enquiries to determine whether a child or children are in need of protection, the named person should take account of any relevant information from these enquiries when considering whether disciplinary action should be brought against the person at the centre of the allegations.

The following timings should be kept to wherever possible, depending on the nature of the investigation:

- If formal disciplinary action is not needed, other appropriate action should be taken within three working days.
- If disciplinary action is required, and can be progressed without further investigation, this should take place within 15 days.
- If SafeCircle decides that further investigation is needed in order to make a decision about formal disciplinary action, the named person for child protection should discuss with the LADO the possibility of this investigation being done by an independent person to ensure

that the process is objective. Whether or not the investigation is handled internally or independently, the report should be presented to the named person within 10 working days.

- Having received the report of the disciplinary investigation, the named person should decide within two working days whether a disciplinary hearing is needed.
- If a hearing is needed, it should be held within 15 working days.
- The named person should continue to liaise with the LADO during the course of any investigation or disciplinary proceedings, and should continue to use the LADO as a source of advice and support.

If a criminal investigation is required, it may not have been possible to make decisions about initiating disciplinary proceedings or about the person's future work arrangements until this is concluded. The police are required to complete their work as soon as reasonably possible and to set review dates, so the named person should either liaise with the police directly or via the LADO to check on the progress of the investigation and criminal process.

The police are also required to inform the employer straight away if the person is either convicted of an offence or acquitted or, alternatively, if a decision is made not to charge him/her with an offence or to administer a caution. In any eventuality, once the outcome is known, the named person should contact the LADO to discuss the issue of disciplinary proceedings.

If the allegation is substantiated and if, once the case is concluded, SafeCircle dismisses the person or ceases to use their services, or the person ceases to provide his/her services, the named person should consult with the LADO about referral of the incident to the Disclosure and Barring Service (DBS). This should take place within a month.

If the allegation is found to be without substance or fabricated, SafeCircle should consider referring the child in question to the children's social care department for them to assess whether he/she is in need of services whether he/she may have been abused by someone else. If it is felt that there has been malicious intent behind the allegation, SafeCircle should discuss with the police whether there are grounds to pursue any action against the person responsible.

Keeping a record of the investigation:

All those involved in dealing with the allegation should keep clear notes of the allegations made, how they were followed up, and any actions and decisions taken, together with the reasons for these.

These notes should be compiled gradually as the situation unfolds, with each entry being made as soon as possible after the event it describes. The notes should be signed and dated by the person making them, and the person's name should be printed alongside.

The notes should be kept confidentially on the file of the person who is the subject of the allegation. Discussions should take place with the LADO to determine whether any aspects of the notes may not be shared with the person concerned. If there are no reasons not to do so, a copy of the records should be given to the individual.

The notes should be held on file for a 10-year period, whether or not the person remains with SafeCircle for this period.

Useful contact details:

Named person for child protection and deputy: Keeley Black Tel: **0203 811 0445**.

Local police -

Tel: 101

NSPCC –

Tel: 0808 800 5000

Email: help@nspcc.org.uk

ChildLine –

Tel: 0800 1111 (textphone 0800 400 222)

Acknowledgements:

These procedures have been created with resources and guidance from SafeNetwork.org.uk (an NSPCC organisation).

This procedure is consistent with the government guidelines set out in Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children, HM Government, March 2013, and with the Children's Workforce Development Council's publication, Recruiting Safely: Safer recruitment guidance helping to keep children and young people safe, CWDC, 2009.