

Allegations against a member of staff (including volunteers, students)

If an allegation is made against a member of staff, student or volunteer, set procedures must be followed. This includes allegations against staff in their personal lives.

Whilst we acknowledge that malicious allegations and misunderstandings do happen, we also acknowledge they may be founded. It is, therefore, essential that all allegations are investigated properly, in line with agreed procedures and outcomes recorded.

Any allegations concerning staff who no longer work at Wood St Nursery will be reported to the police.

Allegations against staff- What to do if you are worried about an adult's (staff's, student's or volunteer's) behaviour.

Staff, students and volunteers at Wood St Nursery are provided with Induction, supervision and training to ensure they understand appropriate adult behaviour and what actions to take to keep children safe should they have any concerns.

Staff, students and volunteers at Wood St Nursery must at all times follow the staff behaviour policy and act in the best interests of the child. Staff must be aware of how to keep themselves safe from allegations, ensuring their behaviour cannot be misunderstood and not put themselves in situations where they may be at risk of having an allegation made against them. See **the STAFF Behaviour policy/lone working policy/intimate care policy**.

It is an **Allegation against a Professional / Staff** when a person aged 16 or over who has access to children as part of their work (voluntary / paid) 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.

This may be behaviour you see, a conversation or language you hear, or something you are told about. For example, making inappropriate sexual comments, giving excessive one to one attention or sharing inappropriate images.

If you witness an incident you are concerned about, as it occurs, draw your room supervisor or manager's attention to it immediately.

Do not consult colleagues for advice, do not inform the subject of the allegation, act promptly.

It is very important to share any concerns no matter how small with the DSL. Staff will never be penalised for reporting information when they are acting in the best interests of a child.

If there are concerns/allegations about the DSL or the Deputy DSL and you feel unable to approach either of them (as the DSL and the deputy DSL are both the managers and the owners) you MUST report your concerns directly to the Local Authority Designated Officer, LADO.

What to do if you have concerns that the behaviour or actions of a member of staff (including students, volunteers or any other adult) may put children at risk.

1. Treat the matter seriously and keep an open mind.
2. Make a written record of the information, including the time, date and place of incident/s, persons present and what was said and sign and date this.
3. Immediately report the matter directly to the Designated Safeguarding Lead, or in their absence the deputy.
4. You may wish to know what action the DSL has taken and ask them to update you at a later date. They may be limited in the details they are allowed to share with you, but should be able to explain that suitable due process, in line with legislative requirements has been followed.
5. If you should feel that concerns or allegations that you have brought to the Designated Safeguarding Lead have not been responded to appropriately; in the first instance please discuss your concerns with the DSL or Deputy DSL. If you still feel the concern or allegation has not been dealt with correctly, you have a right and a responsibility to report the concern to the relevant authorities outside the organisation below. Please also see the **Whistle blowing policy**

Waltham Forest Local Authority Designated Officer (LADO) - 020 8496 3646 or 07791 559 789

You may wish to contact the NSPCC whistleblowing advice line: 0800 028 0285 / help@nspcc.org.uk for advice or guidance.

DSL response to an Allegation

In the event of receiving a concern or allegation about a member of staff the designated safeguarding lead will take the following actions:

1. Obtain written details of the concern or allegation but not investigate or interview child, adult or witnesses.
2. Contact the Waltham Forest Local Authority Designated Officer (LADO) within 1 working day, to investigate and/or seek advice.
3. The DSL or Deputy will work with the Local Authority Designated Officer (LADO), following their advice and guidance.
4. Where the management and children's social care agree it is appropriate in the circumstances, the member of staff or volunteer will be suspended for the duration of the investigation. This is not an indication of admission that the alleged incident has taken place, but is to protect the staff, as well as children and families, throughout the process.
5. Ensure clear and comprehensive records regarding the allegation, any action taken and outcome, are recorded and retained in the staff's personnel file.
6. Maintain contact with the LADO and co-operate entirely with any investigation carried out by other professionals.
7. The DSL will consider with the LADO whether a referral to the DBS should be made
8. The DSL will report any alleged incident and the action taken in regard to it to Ofsted, even in the event of being advised by LADO that the incident does not meet the threshold, and can be dealt with internally or requires no further action. Wood St Nursery has EYs Ofsted registration and must contact Ofsted as soon as possible but at least within 14 days on 0300 1234666 or online at [https://ofstedonline.ofsted.gov.uk/ofsted/Ofsted Early Years Notification.ofml](https://ofstedonline.ofsted.gov.uk/ofsted/Ofsted_Early_Years_Notification.ofml))
9. If a member of staff or volunteer is dismissed due to concern for the safeguarding of children, or would have been had they not resigned, with the agreement of the Waltham Forest LADO, the DSL will notify the Disclosure and Barring Service of relevant information, so that individuals who pose a threat to children and vulnerable groups can be identified and barred from working with these groups. **This is a legal duty and failure to refer when the criteria are met is a criminal offence.**

The full procedures for dealing with allegations against staff can be found in **Keeping Children Safe in Education (2018)**.

If you are the subject of an 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.
- The manager will notify the subject of an allegation as soon as possible. They will not be able to share the nature of the allegation, who made the allegation or other concerns at this point.
- The manager must consider the nature of the allegation and how to protect both the child and the professional involved and to prevent further allegations. Usually, managers will attempt to redeploy employed staff to ensure that they do not come into contact with the child/ren involved, and to ensure that safeguards are in place to prevent further concerns.
- 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, the setting will provide support and a named contact for the member of staff.
- Managers are not able to share any details of the allegation with other members of staff.