

Peter Pan Playgroup

Allegations of Child Abuse Against Staff and Volunteers

We aim to create an environment where children are safe from potential abuse. It is essential that any allegation of abuse made against a member of staff, students on placement, volunteers, bank/agency staff in our setting is dealt with fairly, quickly, and consistently, in a way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation. Thus, the procedures outlined in this policy will be followed alongside Playgroup's Complaints Procedure and Safeguarding and Child Protection Policy.

Concerns may come from a parent/carer, child, colleague, or the public. Allegation or concerns must be referred to the Designated Safeguarding Lead or back-up designated safeguarding lead without delay – even if the person making the allegation later withdraws it.

Low-level Concern

The NSPCC defines a low-level concern as any concern that an adult has acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work;
- does not meet the threshold of harm or is not considered serious enough to refer to the local authority.

Low-level concerns are part of a spectrum of behaviour that include:

- inadvertent or thoughtless behaviour;
- behaviour that might be considered inappropriate depending on the circumstances;
- behaviour which is intended to enable abuse.

Examples of such behaviour could include:

- being over friendly with children;
- having favourites;
- adults taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door;
- using inappropriate sexualized, intimidating or offensive language.

Responding To Low-level Concerns

Any concerns about the conduct of staff, students or volunteers must be shared with the Designated Safeguarding Lead and recorded. The Designated Safeguarding Lead should be informed of all concerns, including those that may initially be considered 'low level' and make the final decision on how to respond. Where appropriate this can be done in consultation with the Manager or Chairperson.

Reporting concerns about the conduct of a colleague, student or volunteer contributes towards a safeguarding culture of openness and trust. It ensures that adults consistently model the setting's values and helps keep children safe. It protects adults from potential false allegations or misunderstandings.

If it is not clear that a concern meets the local authority threshold, the Designated Safeguarding Lead should contact the Local Authority Designated Officer (LADO) for clarification.

In most instances, low-level concerns about staff conduct can be addressed through supervision, training or the disciplinary processes where an internal investigation may take place.

Identifying Allegations of Abuse

An allegation against a member of staff, volunteer or bank/agency staff constitutes serious harm or abuse if they:

- behaved in a way that has harmed, or may have harmed a child;

- possibly committed a criminal offence against, or related to, a child;
- behaved towards child in a way that indicates they may pose a risk of harm to children;
- behaved or may have behaved in way that indicates they may not be suitable to work with children.

Reporting Allegations

- All staff report allegations to the Designated Safeguarding Lead.
- The Designated Safeguarding Lead alerts the Manager and/or Chairperson and together they should form a view about what immediate actions are taken to ensure the safety of the children and staff in the setting, and what is acceptable in terms of fact-finding.
- It is essential that no investigation occurs until and unless the LADO has expressly given consent for this to occur, however, the person responding to the allegation does need to understand what explicitly is being alleged.
- The Designated Safeguarding Lead must take steps to ensure the immediate safety of children, parents, and staff on that day within the setting.
- The LADO is contacted as soon as possible and within one working day. If the LADO is on leave or cannot be contacted, the LADO team manager is contacted and/or advice sought from the point of entry safeguarding team (Integrated Front Door - IFD).
- A child protection referral is made if required. The LADO, and local safeguarding children's services (West Sussex Safeguarding Children Partnership) can advise on whether a child protection referral is required.
- The Designated Safeguarding Lead asks for clarification from the LADO on the following areas:
 - What actions the Designated Safeguarding Lead must take next and when and how the parents/carers of the child are informed of the allegation.
 - Whether or not the LADO thinks a criminal offence may have occurred and whether the police should be informed and if so, who will inform them.
 - Whether the LADO is happy for the setting to pursue an internal investigation without input from the LADO, or how the LADO wants to proceed.
 - Whether the LADO thinks the person concerned should be suspended, and whether they have any other suggestions about the actions the Designated Safeguarding Lead has taken to ensure the safety of the children and staff attending the setting.
- The Designated Safeguarding Lead records details of discussions and liaison with the LADO including dates, type of contact, advice given, actions agreed and updates of the child's case file.
- Parents/carers are not normally informed until discussion with the LADO has taken place, however in some circumstances the Designated Safeguarding Lead may need to advise parents/carers of an incident involving their child straight away, for example if the child has been injured and requires medical treatment.
- Staff do not investigate the matter unless the LADO has specifically advised then to investigate internally. Guidance should also be sought from the LADO regarding whether suspension should be considered. The person dealing with the allegation must take steps to ensure that the immediate safety of children, parents/carers and staff is assured. It may be that in the short-term measures other than suspension, such as requiring a staff member to be office based for a day, or ensuring they do not work unsupervised, can be employed until contact is made with the LADO and advice given.
- The Designated Safeguarding Lead ensures staff fill in 06.1b Safeguarding Incident Reporting form.
- If after discussion with the Designated Safeguarding Lead, the LADO decides that the allegation is not obviously false, and there is cause to suspect that the child/ren is suffering or likely to suffer significant harm, then the LADO will normally refer the allegation to children's social care.

- If notification to Ofsted is required, the Designated Safeguarding Lead will inform Ofsted as soon as possible, but no later than 14 days after the event has occurred. The Designated Safeguarding Lead will liaise with the Manager and/or Chairperson about notifying Ofsted.
- The Designated Safeguarding Lead ensures that the 06.1c Confidential Safeguarding Incident Report form is completed and sent to the Manager and/or Chairperson.
- Avenues such as performance management or coaching and supervision of staff will also be used instead of disciplinary procedures where these are appropriate and proportionate. If an allegation is ultimately upheld the LADO may also offer a view about what would be a proportionate response in relation to the accused person.
- The Designated Safeguarding Lead must consider revising or writing a new risk assessment where appropriate, for example if the incident related to an instance where a member of staff has physically intervened to ensure a child's safety, or if an incident relates to a difficulty with the environment such as where parents/carers and staff are coming and going, and doors are left open.
- All allegations are investigated even if the person involved resigns or ceases to be a volunteer.
- The Designated Safeguarding Lead will also keep the person who is the subject of the allegations informed of the progress of the case and consider what other support is appropriate for the individual. If the person is suspended, the Designated Safeguarding Lead will also keep the individual informed about developments.
- Every effort will be made to maintain confidentiality and guard against publicity while an allegation is being investigated/considered.
- Wherever possible the person will be given a full opportunity to answer the allegation and make representations about it. The process of investigating the allegation, and reaching a judgement about whether it can be regarded as substantiated will continue even if the person does not cooperate.

Allegations Against Bank/Agency Staff

- Any allegations against bank/agency staff must be responded to as detailed in this procedure. In addition, the Designated Safeguarding Lead must contact the agency following advice from the LADO.

Allegations Against The Designated Safeguarding Lead / Manager

- If a member of staff has concerns that the Designated Safeguarding Lead has behaved in a way that indicates they are not suitable to work with children as listed above, this is report to the Manager and/or Chairperson who will investigate further.
- During the investigation, the Manager and/or Chairperson will identify another suitable experienced person to take of the role of Designated Safeguarding Lead.
- If an allegation is made against the Manager, then the Chairperson is informed.

Recording Allegations

- A record is made of an allegation/concern, long with supporting information. This is then entered on the file of the child, and the 06.1a Child Welfare and Protection Summary is completed and placed in the front of the child's file.
- If the allegation refers to more than one child, this is recorded in each child's file.
- If relevant, a child protection referral is made, with details held in the child's file.

Escalating and Whistleblowing Concerns

If a member of staff believes at any time that children may be in danger due to the actions or otherwise of a member of staff or volunteer, they must discuss their concerns immediately with the Designated Safeguarding Lead.

If after discussions with the Designated Safeguarding Lead, they still believe that appropriate action to protect children

has not been taken they must speak to the Manager and/or Chairperson.

If there are still concerns then the whistleblowing procedure must be followed, as set in 06.1 Responding To Safeguarding or Child Protection Concerns.

Action On Conclusion of a Case

If a member of staff is dismissed because of a proven or strong likelihood of child abuse, inappropriate behaviour towards a child, or other behaviour that may indicate they are unsuitable to work with children such as drug or alcohol abuse, or other concerns raised during supervision when the staff suitability checks are done, a referral to the Disclosed and Barring Service is made. This referral will be made within one month of the decision to cease using the services of that person.

Parents or carers of a child or children involved will be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution. That includes the outcome of any disciplinary process. NB. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers of the child will be told the outcome.

In cases where it is decided on the conclusion of the case that a person who has been suspended can return to work, Playgroup will consider how best to facilitate that. We appreciate that most people will benefit from some help and support to return to work after a very stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The Playgroup will also consider how the person's contact with the child or parents/carers who made the allegation can best be managed if they are still attending Playgroup.

Action In Respect of False Allegations

If an allegation is determined to be false, the Manager will refer the matter to children's social care to determine whether the child concerned is in need of services, or may have been abused by someone else. In the rare event that an allegation is shown to have been deliberately invented or malicious, the Manager will consider whether any disciplinary action is appropriate against the staff/child who made it, or the police should be asked to consider whether any action might be appropriate against the person responsible if he/she was not a child.