



Allegations Against Staff and Volunteers Policy

Policy Statement

Woodlands is committed to safeguarding and promoting the welfare of all children. We expect all adults working with children to share this commitment and to maintain the highest standards of professional conduct.

This policy sets out the procedures to be followed if an allegation is made against a member of staff, volunteer, trustee, student, apprentice, agency worker or contractor. It aims to ensure that allegations are dealt with fairly, consistently, promptly and in accordance with statutory guidance, while safeguarding the welfare of children and supporting those involved.

The welfare of the child is always the paramount consideration.

Purpose

The purpose of this policy is to:

- protect children from harm
- ensure allegations are managed fairly and consistently
- support staff and volunteers during the investigation process
- comply with statutory safeguarding duties
- ensure appropriate referrals are made where required
- maintain public confidence in safeguarding procedures.

Scope

This policy applies to all:

- employees
- volunteers
- trustees
- committee members
- students
- apprentices
- agency staff
- contractors
- anyone working on behalf of Woodlands.

Definition of an Allegation

This policy applies where it is alleged that a person working with children 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; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children. This includes behaviour that has occurred both within and outside of work.

Responsibilities

The Senior Manager

The Senior Manager is responsible for:

- ensuring concerns are taken seriously

- acting immediately where an allegation is made
- protecting children from further risk
- making appropriate referrals
- maintaining confidentiality
- keeping accurate records
- supporting all parties involved.

If the allegation concerns the Senior Manager, the concern must be reported immediately to the Chair of Trustees.

If the allegation concerns the Chair of Trustees, the concern should be reported directly to the Local Authority Designated Officer (LADO).

Immediate Action

When an allegation is received, the person receiving the allegation must:

- remain calm and listen carefully;
- avoid asking leading questions;
- make an accurate written record of what has been reported;
- not promise confidentiality;
- report the allegation immediately to the Senior Manager or Chair of Trustees, where appropriate;
- ensure the child is safe and receives any immediate support required.

No attempt should be made to investigate the allegation before seeking advice from the LADO.

Referral to the Local Authority Designated Officer (LADO)

The Senior Manager (or Chair of Trustees where appropriate) must contact the Local Authority Designated Officer (LADO) as soon as possible, and within one working day, if an allegation meets the criteria outlined in this policy.

The LADO will advise on:

- whether the allegation meets the threshold;
- the next steps;
- whether other agencies should be involved;
- whether a strategy meeting is required;
- the need for police involvement;
- children's social care involvement;
- employment considerations.

Woodlands will follow all advice provided by the LADO.

Informing Ofsted

Where required under the Early Years Foundation Stage (EYFS), Ofsted will be notified of any significant event affecting the suitability of persons working with children or any other matter that may affect the safe and lawful running of the provision.

Notifications will be made as soon as reasonably practicable and within the required statutory timescales.

Suspension

Suspension is a neutral act and is not a disciplinary sanction.

It will only be considered where:

- there is cause to suspect a child is at risk of harm;
- the allegation is sufficiently serious to warrant it;
- the police advise suspension;
- the LADO recommends suspension;
- it is necessary to allow the investigation to proceed fairly.

Alternatives to suspension will always be considered where appropriate.

Confidentiality

Information relating to allegations will be treated as highly confidential.

Information will only be shared with those who have a legitimate need to know.

All parties involved are expected to maintain confidentiality throughout the process.

Records will be stored securely in accordance with the Data Protection Act 2018 and UK GDPR.

Support for Staff and Volunteers

Woodlands recognises that allegations can be extremely distressing.

Any individual subject to an allegation will be:

- treated fairly;
- kept informed, where appropriate;
- offered appropriate welfare support;
- advised to seek support from their trade union or professional representative if applicable.

Support will also be offered to the child, their family and other staff affected by the allegation.

Investigations

Investigations will be carried out in accordance with advice from:

- the Local Authority Designated Officer (LADO);
- Children's Social Care;
- the Police, where applicable.

Internal disciplinary investigations will not commence until authorised by the relevant external agencies.

Outcomes

Following investigation, allegations may be determined as:

- Substantiated – there is sufficient evidence to prove the allegation.
- Malicious – there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.
- False – there is sufficient evidence to prove the allegation did not occur.
- Unsubstantiated – there is insufficient evidence to prove or disprove the allegation.
- Unfounded – there is no evidence or proper basis supporting the allegation.

Appropriate action will be taken in accordance with employment procedures and statutory guidance.

Learning Lessons

Following the conclusion of any allegation, Woodlands will review:

- safeguarding procedures;
- risk assessments;
- supervision arrangements;
- recruitment procedures;
- staff training needs;
- policies and procedures.

Any improvements identified will be implemented promptly.

Record Keeping

A confidential record will be kept of:

- the allegation;
- decisions made;
- advice received;
- actions taken;
- the outcome;
- lessons learned.

Records will be retained in accordance with statutory guidance and data protection requirements.

Malicious or False Allegations

If an allegation is found to be deliberately false or malicious, appropriate action may be taken.

Where a child is responsible for making a deliberately false allegation, consideration will be given to their welfare and any underlying reasons for their behaviour.

Related Policies

This policy should be read alongside:

- Safeguarding and Child Protection Policy
- Whistleblowing Policy
- Staff Code of Conduct
- Safer Recruitment Policy
- Disciplinary Policy
- Complaints Policy
- Confidentiality Policy
- Data Protection Policy

Monitoring and Review

This policy will be reviewed annually or sooner if there are:

- changes to legislation;
- updates to statutory guidance;
- changes to local safeguarding procedures;
- recommendations following an allegation or safeguarding review.