



The Management of Allegations about Staff who work with Children

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Introductions & Housekeeping

- Who you are
- What your primary role is
- How familiar you are with Allegation Management
- What issues you want to cover

Training Objectives

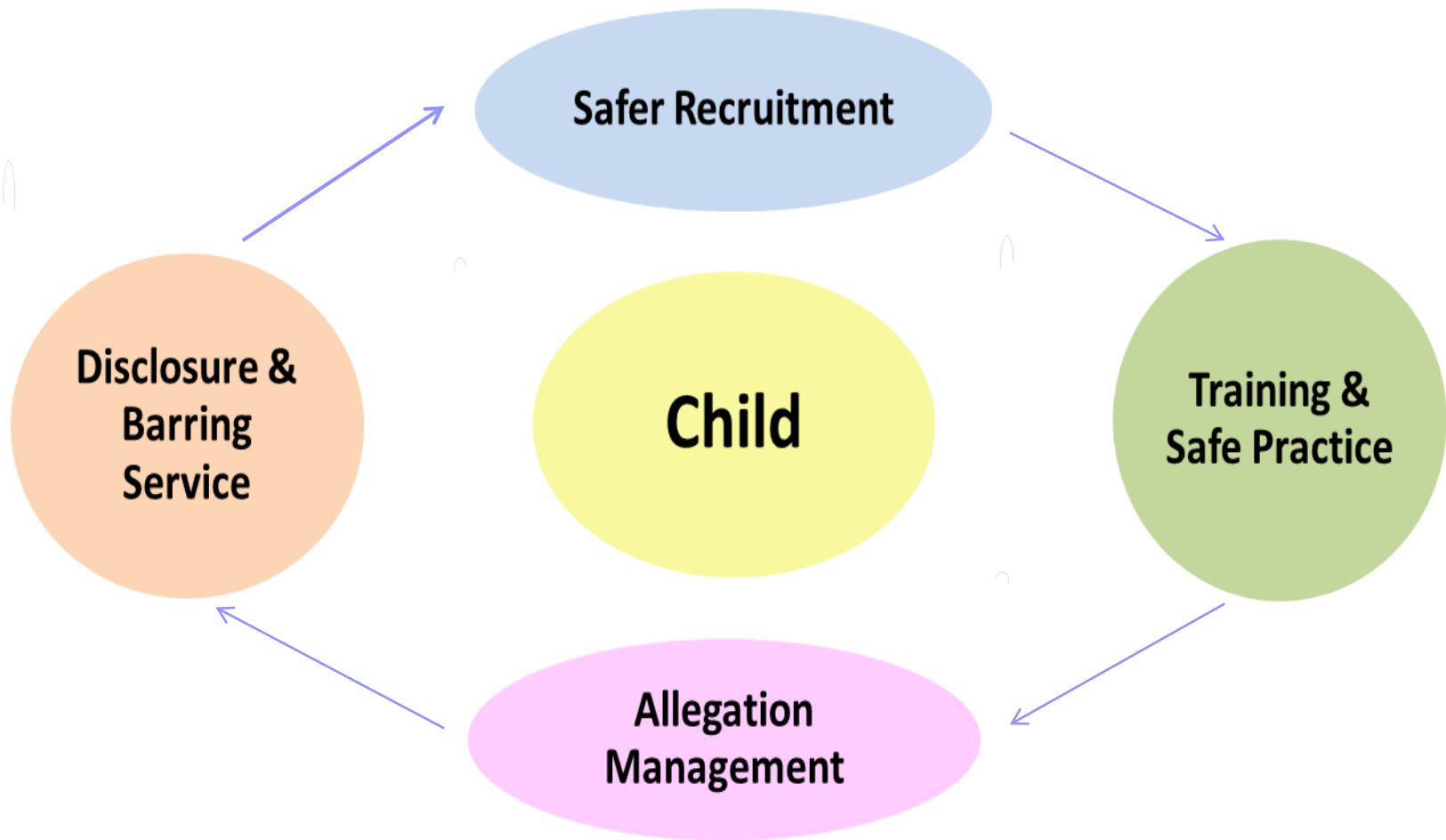
To reflect and explore Allegation Management –

- Promote safer practices within your organisation
- Identify concerns and respond to allegations about staff
- Follow local and national guidance
- Understand the responsibilities of your role and other professionals in responding to concerns
- Carry out your duty to remove unsuitable people from the workforce if necessary

Safeguarding Children is Everybody's Responsibility

- Duty to Safeguard Children under Education Act 2002 (Section 175) & Children Act 2004 (Section 11)
- Safeguarding and Promoting Welfare in addition to Child Protection
- Pro-active prevention as well as Re-active protection

Effective Cycle of Practice & Safeguarding



Management of Allegations

- All organisations providing services for children, should operate procedures for dealing with allegations which are consistent with guidance in Working Together 2018 (Chapter 2).
- See also:
- Swindon Safeguarding Partnership - Child Protection Procedures (Chapter 1)
[Allegations Against Staff or Volunteers \(proceduresonline.com\)](http://proceduresonline.com)
- Keeping Children Safe in Education 2021 (Chapter 4)

Safeguarding & Your Organisation?

Exercise – In small groups – 20 mins

Think about your staff and organisational structure -

- What does safeguarding children mean for your setting?
- What improves the safeguarding of children?
- What roles in your setting carry particular risks?
- What can reduce or increase the risk to children?
- What supports / guides should be in place?



Feedback on Exercise

When to contact the LADO?

Where it is alleged or suspected that a staff member has –

- **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 a child or children in a way that indicates they may pose a risk of harm to children**
- **Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children ***

Organisations Procedure

- A concern or allegation is noticed or reported to a member of staff
- Is your Safeguarding Policy clear who to report this to?
- Who should take the lead?
- If the concern or allegation is about the Senior Manager, do the staff know what to do / who to contact?

What does the Organisation do?

- Judgement call by Senior Manager – is it at one or more Allegation Management thresholds?
- Sometimes it is not clear / Limited information
- 3rd & 4th thresholds/criteria are deliberately low to encourage careful consideration
- Put 'on hold' your usual practice (e.g. speak to member of staff, child, investigate, etc) until consult with LADO within 1 working day

Consultation with LADO

LADO

- The 'first contact' for advice and guidance
- Provides objective and consistent evaluation of concern
- Improves management of cases

Joint consideration (Manager & LADO)

- Agree how it should be handled?
- Should Children's Services and/or Police be involved?
- What further information is needed?

Consultation with / informing of

- HR
- Organisational management (e.g. Owner, Governor)
- Other (e.g. Professional body, OFSTED)

The voice of the child

- Ensure reporting & whistle blowing supported
- Listen to children- ensure that you have robust systems to facilitate this
- Provide children with access to a trusted independent person

How serious is the concern / allegation?

Crime / Significant Harm?

- A Police investigation of a possible criminal offence
- Enquiries by Children's Social Care about the protection of the child or in need of services

Risk of Harm / Suitability?

- Consideration by an Employer of disciplinary or other action in respect of the individual

Is this an Allegation?

Exercise – In small groups – 20 mins

- What should you do?
- What threshold/criteria is this?
- What more do you need to know?



Feedback on Exercise

If Crime / Significant Harm suspected

- Strategy Meeting (within 24 hours)
- Include Manager
- Information shared (Confidentiality)
 - About the allegation
 - About the child
 - About the Member of Staff
- Planning / Action led by Police and CSC
- Consider how organisation manages the concern and when to tell the member of staff

If Risk of Harm / Suitability is suspected

- Either because the other thresholds are not met
- Or separate Police investigation / CSC enquiries
- LADO and Manager consider:
 - Calling Allegation Management Meeting (5 working days) including Manager, HR, and other professionals (including Police & CSC)
 - Consider investigatory action including a disciplinary process
 - Other action - Additional training, guidance, monitoring of staff and / or changing organisational practice and procedures

Concern in Personal Life

- Procedure created with view to responding to work place allegations
- Increase in information about concern in workers personal life
- Transferable Risk has to be considered
- Routes of 'disclosure' to employer
- How do you manage this external information?
- Safeguarding responsibilities, assessment of risk, and duty to member of staff.

Suspension / Alternative duties

- Suspension should be considered in any case where the allegation is true:
 - Places or has placed a child at significant risk
 - Is so serious as to constitute grounds for dismissal;
 - Or where, not to suspend may impede an investigation

- Suspension should not be an automatic response:
 - The power to suspend is vested in the employer alone
 - Employers should, however take note of the views of police, social care and LADO in reaching a decision to suspend

Duty of care

- Employers owe a duty of care to staff, to treat the individual fairly, and apply the principles of natural justice:
 - Signpost to welfare or occupational health service support
 - Encourage contact with professional association / Union
 - Provide named HR link to ensure information updates relating to the case
 - Provide named link within the organisation to keep abreast of development/events

On conclusion of a case

- Ensure all disciplinary processes conclude irrespective of status or if left organisation.
- Conclude on Balance of Probability* .
- Clarity as to any Safeguarding factors.
- Share detail with member of staff
- Any implications for them, including change of duties, increased monitoring

Follow up

- A clear record is made of the outcome
- Include in references to meet safer recruitment and sector guidance
- If appropriate, referral to DBS, and/or professional or regulatory body
- Review challenges or learning for your organisation, and any changes in practice and guidance needed

Safer Organisations going forward

- Are you recruiting safely?
- Retain and practice professional curiosity
- Respond to low level concerns, track patterns
- Is your safeguarding 'live' and embedded?
- Have you clear codes of conduct, professional boundaries, and guidance on physical contact?
- Clear safe internet use in and out of workplace?
- Guidance for Safer Working Practice (Education)
<https://www.saferrecruitmentconsortium.org/GSWP%20COVID%20addendum%20April%202020%20final-1.pdf>



Final Thoughts and Questions?

Think the unthinkable! Act on it!

Evaluation to be completed –

Course – Allegation Management

- Date – 2.2.22
- Trainers – Sean Capewell

MASH Contact Details:

- Telephone: 01793 466903 (during normal office hours which are 8.30am to 4.40pm Monday to Thursday, and 8.30am to 4.00pm Friday)
- E-mail: Swindonmash@swindon.gov.uk
- The Emergency Duty Service (EDS) is available outside office hours on 01793 436699
- https://safeguardingpartnership.swindon.gov.uk/info/3/workers_and_volunteers/10/workers_and_volunteers

Allegation Management Team Contact Details:

- Telephone - (01793) 463854 * Main phone contact
- Email - LADO@swindon.gov.uk * Main email contact

- **Jon Goddard** (LADO) – 07392 103019 - (Mon – Wed 9 – 5)
- **Rachel Hull** (LADO) – 07824 081177– (Thur – 9 - 5, Fri – 9am – 4.30pm)
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