



(Charity No: 1023883)

## **Procedure in the event of an allegation being made against a member of staff**

1. Where children make allegations of abuse their concerns should be taken seriously.
2. It is recognised that whilst pre-school staff are uniquely placed to detect signs and indicators of child abuse, they are themselves particularly vulnerable to malicious or misplaced allegations made by pupils deliberately or innocently, arising from normal association with them within the pre-school.
3. If an allegation is made against an employee of Barton-le-Clay pre-school, the chairperson will immediately be informed. The chairperson will then contact the team manager from social services to gain advice on how best to proceed. The committee members will also be informed that an allegation has been made.

### **WHAT TO DO WHEN AN ALLEGATION HAS BEEN MADE**

When a child makes an allegation of abuse by a member of staff, the person receiving the allegation must take it seriously and deal with it by informing either the team leader (if the allegation is not against that person) or the chairperson. Failure to do so may result in disciplinary action.

Staff:

1. Cannot promise total confidentiality to children as they must inform the team leader or the chairperson.
2. Must make a written note of the allegation/concerns including a note of anyone else witnessing the incident. Witnesses should also make a record; these will be signed and dated.
3. Will only establish what the child is saying and will not interview the child about the allegation.
4. Any member of staff having reason to suspect that another member of staff may have abused a child must immediately inform the team leader or the chairperson.

Where suspicions or allegations of abuse against a child attending pre-school and involving members of staff are received by a person outside the pre-school, e.g. social worker, police, parent, relative or family friend, then the committee should be informed as soon as possible and involve the necessary strategy discussions.



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## The chairperson

If the allegation relates to the team leader

1. Will avoid delay and act promptly.
2. Will obtain details of the allegation in writing, signed and dated by the person who received the allegation (not the child who is the subject of the allegation).
3. Will record any information about times, dates, locations and names of potential witnesses.
4. Will liaise with the Secretary of the committee and arrange the suspension of the member of staff pending investigation.
5. Will establish whether the allegations warrants a referral to Ofsted and social services, this may involve talking to the child to clarify what has been alleged, this should be an investigatory interview, and is not used to form a view on whether the allegation is to be believed to this stage.

There will be four possible outcomes for the chairperson's consideration

1. That the allegation is apparently without foundation.  
In this case no further action is taken and the member of staff and parents are informed.
2. That the allegation was prompted by inappropriate behavior which needs to be addressed under the pre-school disciplinary procedures  
In this case the chairperson will follow the disciplinary procedures
3. There is still some uncertainty but there is reason to suppose abuse could have occurred and that referral through the safeguarding children procedures may be necessary  
In this case the chairperson will consult Ofsted and Social services who will make the final decision and referral
4. An immediate referral through the safeguarding children procedures.  
In this case the chairperson will make a referral.

Confidentiality should be maintained throughout this stage, in order that any subsequent investigation is not prejudiced.

## Outcome

When the investigation has been completed the course of action falls under four headings:

1. Criminal – is there sufficient evidence to carry forward prosecution of the member of staff?



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2. Disciplinary – is there sufficient evidence to carry out disciplinary action under the pre-school disciplinary guidelines?
3. Training – Is this an issue of training and performance which will be dealt with by additional staff training?
4. Safeguarding children – are there outstanding safeguarding issues which need to be addressed via safeguarding procedures, and should a conference be called?

Where the allegation has been found to be without basis the team manager from social services will write to the member of staff concerned within seven working days, summarizing the outcome of the investigation.

#### Records

Where an allegation has been found to be unfounded a summary of the investigation should be kept on the pre-schools confidential child protection file. Where disciplinary action has been taken however, documents relating to this investigation should be retained together with written records of the investigation, on the member of staff's personal and confidential file.

Where a child has made an allegation, a copy of the statement or the record made of it should be kept on the pre-schools child protection file.



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