



## RAINBOW'S END MONTESSORI SCHOOL

### PROCEDURES TO FOLLOW IN THE EVENT OF AN ALLEGATION AGAINST A MEMBER OF STAFF

#### Initial action by person receiving or identifying an allegation or concern:

1. An allegation against a member of staff/volunteer may arise from a number of sources (e.g. a report from a child, a concern raised by another adult in the organisation, or a complaint by a parent).
2. The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.
3. S/he should not:
  - Investigate or ask leading questions;
  - Make assumptions or offer alternative explanations;
  - Promise confidentiality, but give assurance that the information will only be shared on a 'need to know' basis.
4. S/he should:
  - Immediately report the matter to the Designated Safeguarding Lead(DSL) or (in the absence of the DSL, or where the DSL is the subject of the allegation), to the Deputy Designated Safeguarding Lead(Deputy DSL)
  - As soon as possible make a written record of the information (recording the child / adult's own words), including the time, date and place of incident(s), persons present and what was said;
  - Sign and date the written record;

#### Initial action by the DSL/Deputy DSL:

5. When informed of a concern or allegation, the DSL/Deputy DSL should not investigate the matter or interview the member of staff, the child concerned or any potential witnesses.
6. He / she should:
  - Obtain written details of the concern / allegation, signed and dated by the person receiving (not from the child / adult making the allegation);
  - Countersign and date the written details;
  - Record any information about times, dates and location of incident(s) and names of any potential witnesses;
  - Record discussions about the child and/or member of staff, any decisions made, and the reasons for those decisions.
  - Inform Ofsted of the allegation within 14 days
7. In the event of an allegation or concern that any person who works with children, in connection with his/her employment or voluntary activity, 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; or
  - behaved towards a child or children in a way that indicates s/he is unsuitable to work with children, the DSL/Deputy DSL should report it to the Local Authority Designated Officer (LADO) and OFSTED promptly, at least within 1 working day. If there is any doubt regarding whether the allegation meets the criteria, advice should be sought from the LADO. Referral should not be delayed in order to gather information. Any failure to follow procedures is a potential disciplinary matter.
8. The LADO and DSL/Deputy DSL should consider first whether further details are needed and whether there is evidence or information that establishes that the allegation is false or unfounded. Care should be taken to ensure that the child is not confused as to dates, times, locations or identity of the member of staff.
9. If the allegation is not demonstrably false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the LADO will immediately refer to Children's Services and ask them to convene an

immediate **strategy discussion**. Wherever possible this should take the form of a meeting and the LADO and DSL/Deputy DSL should normally attend.

10. If the threshold for significant harm is not reached, but a criminal offence might have been committed and/or the accused person may have behaved in a way that indicates s/he is unsuitable to work with children, the LADO should immediately inform the Police Child Protection Investigation Unit (CPIU), to evaluate the allegation and decide how it should be dealt with including whether a police investigation is needed.
11. If there is no cause to suspect significant harm is an issue and there is nothing to suggest a criminal offence has been committed but the initial considerations indicate a need for the employer to take some action through their disciplinary procedures, the LADO will check with children's social care and the police (Child Protection Investigation Unit) whether they have any relevant information about the accused person.

### **Confidentiality Considerations**

In managing allegations against people who work with children, the following general considerations should be taken into account:

- Parents and carers of a child/ren involved should normally be told about the allegation as soon as possible. The decision about how and by whom they should be informed, should be agreed between the DSL/Deputy DSL and the LADO. In cases where the Police and/or Children's Services may need to be involved the LADO should first discuss and agree the most appropriate course of action with those colleagues.
- The DSL/Deputy DSL should, as soon as possible, inform the accused person about the allegation and how enquiries will be conducted after consulting and agreeing this with the LADO. In some cases, the police and/or social care will want to impose restrictions on the information that can be provided. The LADO and/or DSL/Deputy DSL will need to reach an agreement with those colleagues about the disclosure of any information.
- Every effort should be made to maintain confidentiality and guard against publicity whilst an allegation is being investigated or considered. Apart from keeping the child, parents and accused person up-to-date with the progress of the case, information sharing should be restricted to those who have a need to know in order to;
  - protect children
  - facilitate enquiries
  - manage related disciplinary, capability or suitability processes

### **Allegations against staff in their personal lives**

1. If an allegation or concern arises about a member of staff, outside of his / her work with children, and this may present a risk of harm to child/ren for whom the member of staff is responsible, the PROCEDURES TO FOLLOW IN THE EVENT OF AN ALLEGATION AGAINST A MEMBER OF STAFF will still apply.
2. In some cases, an allegation of abuse against someone closely associated with a member of staff (e.g. partner, member of the family or other household member) may present a risk of harm to child/ren for whom the member of staff is responsible. In these circumstances, the PROCEDURES TO FOLLOW IN THE EVENT OF AN ALLEGATION AGAINST A MEMBER OF STAFF will still apply and it will be considered:
  - The ability and/or willingness of the member of staff to adequately protect the child/ren;
  - Whether measures need to be put in place to ensure their protection;
  - Whether the role of the member of staff is compromised.

Prior to commencing employment at Rainbow's End Montessori School, and termly thereafter, all employees are required to complete & sign a Staff Suitability & Disqualification Declaration. See POLICY REGARDING STAFF SUITABILITY & DISQUALIFICATION.

**LOCAL AUTHORITY DESIGNATED OFFICER (LADO): 01305 221122**

**Rainbow's End Designated Safeguarding Lead (DSL): Tina Hemming-Stevens**

**Rainbow's End Deputy Designated Safeguarding Lead (Deputy DSL): Alisha Hemming-Stevens**

### **Whistle Blowing**

If a staff member has any concerns about the behavior of an adult in the setting and feels unable to discuss their concerns with the DSL / Deputy DSL they should either:

1. contact the **LADO 01305 221122** OR
2. contact the **Ofsted Whistle Blowing Hotline: 0300 1233155**