

Procedure to follow if an allegation of abuse is made against a member of Fennies Nurseries

Safeguarding and welfare requirement 2017

Child protection

3.4. Providers must be alert to any issues of concern in the child's life at home or elsewhere. Providers must have and implement a policy, and procedures, to safeguard children. These should be in line with the guidance and procedures of the relevant Local Safeguarding Children Board (LSCB). The safeguarding policy and procedures must include an explanation of the action to be taken when there are safeguarding concerns about a child and in the event of an allegation being made against a member of staff, and cover the use of mobile phones and cameras in the setting.

This procedure also links to:

- Safeguarding children and child protection policy and procedures
- Fennies managing investigations toolkit
- Fennies disciplinary policy
- Making a complaint procedure
- Fennies Whistleblowing policy
- Making notifications to Ofsted procedure
- Online safety (including mobile phone) policy

This document has been developed in line with local safeguarding child board guidance (Croydon, Surrey Merton and Bromley), and national guidance which includes:

- Working Together to Safeguard Children (2018)
- Information Sharing: Guidance for Practitioners providing Safeguarding Services (DfE 2018)
- Keeping Children Safe in Education (2018)

Unfortunately, child abuse does occasionally take place in child care settings, so we have introduced this separate policy to remind staff of the measures that can be taken to reduce the risk of any allegations being made against them or another member of staff. It also contains the procedure, which will be undertaken if an allegation is made against a member of staff. This complies with both the Early Years Foundation Stage (2017) and Local Safeguarding Children Board Procedures.

How we can protect ourselves?

- If a child sustains an injury whilst in our care, we will record it on an accident form as soon as possible. When the child is collected, we will inform whoever picks the child up about the injury and ensure that they also sign the accident form.
- If a child arrives with an injury sustained elsewhere we will ask for an explanation and again record this in the accident form, noting that it is a pre-existing injury and ask whoever has brought in the child to sign the record.
- We will ensure that all staff undertake regular safeguarding and child protection training.
- We will ensure that all parents understand our role and responsibility in safeguarding child protection. Our safeguarding policy and procedure is available in each nursery on our website.
- Our behavioural management policy states that no physical sanctions will be used and we will ensure that everyone complies with it in all rooms within the setting.
- We will try to avoid situations where an adult is left alone in a room with a child. If this does occur, we will make sure that the door is left open and there are other people around. Regular lone working occurrences will be risk assessed.
- We will avoid engaging in rough physical play with children- as this may be misconstrued and could cause accidental injury to a child.
- We will avoid doing things of a personal nature for children that they can do for themselves.
- We will follow our Safer Recruitment Procedure and take up references, including one from the candidate's last employer, and will always question any gaps in employment history.
- We will encourage an open door ethos, to enable staff to talk to senior managers if they have concerns about the conduct of any of their colleagues.
- Regular supervision will provide opportunities for staff to discuss any issues particularly concerning children's development or well-being
- All staff will be made aware of our whistleblowing policy and procedure.
- **Following any concerns raised or allegations against staff, the nursery management team will increase the monitoring and support of practice. This may include increased supervision, peer / room observations, mentoring, or training.**

Deciding if it is an allegation of harm or a concern

The designated safeguarding lead should review the information available and consideration should be given as to whether the case meets the threshold of harm/risk of harm.

- If it is decided it meets the threshold of harm/risk of harm and therefore is an allegation they should follow the procedures below and notify the LADO within one working day. If appropriate, the police should also be notified within one working day – or immediately if necessary;
- If it is decided that the incident does not meet the threshold of harm/risk of harm and is a concern only, then they should take steps to ensure any conduct or behaviour issues are addressed with the member of staff through normal employment practices;
- If the designated safeguarding lead is unclear whether the incident meets the threshold of harm/risk of harm they may wish to seek advice from the LADO.

The LADO should be alerted to all cases in which it is alleged that a person who works 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; or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

This is referred to as the threshold.

What happens if an allegation of abuse is made against a member of staff in the Setting?

- If anyone makes an allegation of abuse against a member of our staff, the designated safeguarding lead (*name of designated person*) will be informed immediately and will contact: (*name*) Local Authority Designated Officer (LADO).
- They will assess whether the allegation reaches the threshold for referral to Police/Children's Social Services and advise accordingly regarding further action to be taken in respect of the child and the member of staff.
- The designated safeguarding lead will complete the attached form for recording allegations or complaints made against staff.
- The designated safeguarding lead will not discuss the allegation with the member of staff concerned, unless advised to do so by Children's Social Services.
- **All staff need to be aware that it is a disciplinary offence not to report concerns about the conduct of a colleague that could place a child at risk. When in doubt – consult.**
- If Children's Social Services and/or the police decide to carry out an investigation, **it may be possible that we will be advised to suspend the member of staff, whilst enquiries are carried out.** Fennies Nurseries could also invoke their disciplinary procedure.
- A risk assessment for suspension will be carried out to help ascertain the level of risk in relation to whether a child or children are at risk of significant harm; the allegation warrants investigation by the police; the allegation is so serious that dismissal / gross misconduct is possible
- We will not carry out an investigation ourselves **unless** Children's Social Services and the Police decide it is not necessary for them to do so. We understand that Ofsted may wish to undertake further investigations in some circumstances.

Always remember;

The welfare of the child is paramount!

Please do ensure that urgent medical treatment is sought if required, and that the child is supported.

Guidance for managers

Checklist for handling and recording allegations or complaints of abuse made against a member of staff regarding a child/children in their care.

1. Record the name and position of member of staff against whom the allegation or complaint has been made.

2. Verbal complaints should be backed up in writing by the complainant if appropriate; some may require immediate action that does not allow time for this to happen.
3. It is important to identify who made the complaint and whether it was received first hand or is a concern that is passed on from somebody else. If this is the case it is better that you receive the information first hand. If a parent, carer or a member of staff at the (*name of setting*) makes a complaint against you it must be passed immediately to your line manager.
4. Record the full name, age and date of birth of the child.
5. The address recorded should be the address at which the child lives with the main carer.
6. If there are one or more alleged incidents, be specific as possible about dates and times that they are alleged to have happened.
7. Check the attendance register/ diary of work to see if the child was present/seen on that day and the shift patterns of the staff member involved to see if they were working at that time. This will confirm the likelihood of the incident having taken place.
8. If you have received the complaint in writing attach it to the checklist. You can then summarise it on the form.
9. Any other information should be factual. It will be helpful if you can confirm things such as the level of contact that the staff member has with the child and any other minor concerns that may have been raised previously. **Do not attempt to investigate the complaint yourself unless the LADO has handed back this responsibility to the employer.**
10. Remember that if an allegation of abuse is made against a member of our staff you must inform the designated safeguarding lead who will contact the LADO for further advice.
11. **Ofsted must be informed** if an allegation is made against a member of our staff, even if the LADO decides no further action is required. Ofsted may do their own investigation to ensure that registration requirements are being met. This must be done on the same day as the referral to LADO.
12. Make a note of any actions the LADO or Ofsted advise you to take and the date or times at which you implemented them.
13. **If the allegation is against the designated safeguarding lead then you should go straight to the LADO and follow the procedures above.**

Internal use only

This policy was adopted on	Signed on behalf of the nursery	Date disseminated to staff	Date for review
<i>June 2018</i>			<i>June 2019</i>