

035 Dealing with allegations against staff and volunteers procedure

Statement of intent

The Staff and Voluntary Management Committee of Grindleford and Eyam Playgroup (VMC) intend to create within the setting an environment in which children are safe from abuse and in which any suspicion of abuse is promptly and appropriately responded to. We also intend to ensure that as far as practicable staff are protected from unfounded allegations of abuse.

The Designated Safeguarding Lead (DSL) is responsible for dealing with allegations against a member of staff or volunteer. Concerns relating to the DSL or VMC should be discussed with the Chair of the management committee (Employer) or the Local Authority Designated Officer (LADO). Refer to Appendix 1.

We will follow the procedures set out under 'Safeguarding concerns and allegations made about staff, volunteers and contractors' as set out in

[Early years foundation stage \(EYFS\) statutory framework](#)
[Keeping Children Safe in Education](#),

and adhere to [Allegations Against Staff, Carers and Volunteers \(trixonline.co.uk\)](#) procedures found on the Derby and Derbyshire Safeguarding Children Partnership (DDSCP) website and apply whistleblowing procedures where applicable.

We will ensure we have policies and procedures in place to promptly and appropriately deal with any concerns (including allegations) which **do or do not** meet the harm threshold within [Keeping Children Safe in Education](#). Any concerns or allegations that do not meet the harms threshold are referred to as 'low level concerns'.

Allegations that may meet the harm threshold

We will ensure that the harm threshold within [Keeping Children Safe in Education](#) is considered, where it is alleged that anyone working in this provision that provides education for children under 18 years of age, including volunteers 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 he or she may pose a risk of harm to children.
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

This may also mean a referral to the Police. A referral to the Police will also apply:

- regardless of whether the early years and childcare provider is where the alleged abuse took place.
- allegations against a member of staff who is no longer teaching or working in early years and childcare.
- historical allegations of abuse taking place in the early years and childcare provider.

If a member of staff has concerns about another member of staff, then this must be referred to the DSL or Chair of the management committee (Employer). Concerns relating to the VMC should be discussed with the Chair of the management committee (Employer) or the Local Authority Designated Officer (LADO).

We will make a referral in every case to the Local Authority Designated Lead (LADO), using the [Derby and Derbyshire LADO Referral Form](#). This will be done by an appropriate member of the management team within the early years and childcare provider within 24 hours.

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Further information on making a referral to LADO is available:

- [DDSCP - Allegations](#) and includes a leaflet 'Managing allegations against adults working with children'.
- Appendix 1

Where the allegations are substantiated, we will fully ensure any specific actions are undertaken on the management of this outcome and during the exit arrangements, and as outlined in part four of [Keeping Children Safe in Education](#).

Where the allegations are not substantiated in all cases early years and childcare provider understands the LADO has an advisory role to establish any next steps.

We will under the Safeguarding Vulnerable Groups Act 2006, make a referral to the [Disclosure and Barring Service](#) where a member of staff is dismissed (or would have been, had the person not left the provider first) because they have harmed a child or put a child at risk of harm.

Under our statutory duty we know and understand we must tell Ofsted about any allegations of serious harm or abuse anywhere by any person at the premises who is:

- living there
- working there
- looking after children there

We will ensure we will fulfil our legal requirements by [Report a serious childcare incident or notify significant events](#) as soon as practical to Ofsted within 14 days.

We will ensure our insurance company is informed of a potential situation and notified of serious childcare incidents, without sharing personal details or confidential information (unless appropriate to do so and as guided within the information sharing policy and GDPR regulations) in case legal advice or representation maybe needed in the future.

Concerns and, or allegations that do not meet the harm threshold - Low-level concerns

We recognise that a low-level concern is any concern that an adult working in or on behalf of our provision may have acted in a way that:

- is inconsistent with our staff code of conduct.
- is inappropriate conduct outside of work (including online).
- does not meet threshold for consideration by LADO.

We will ensure low-level concerns are in line with our staff code of conduct and guidance around safer working practices and promoting safe cultures in settings. Where we are unsure if an individual meets the harm threshold we will consult with the LADO. We will ensure that all low-level concerns are shared responsibly and confidentially with the right person and recorded and dealt with appropriately. Any low-level concerns should initially be shared with the DSL and, or the management team. All low-level concerns will be recorded in writing and include:

- details of the concern
- the context in which the concern arose
- action taken
- name of the individual sharing their concerns should be noted unless they wish to remain anonymous
- when a decision has been made not to refer and why

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Staff are also encouraged to self-refer where they have found themselves in a situation which could be misinterpreted, might appear compromising to others and, or on reflection they believe they have behaved in a way that they consider falls below the expected professional standards.

The management team will be the ultimate decision maker in respect of all low-level concerns. All low-level concern records will be retained on the individual's personnel file. Records will also be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern is identified the management team will decide on the appropriate course of action.

Further information low-level concerns are available:

- [DDSCP - Allegations](#) and includes a DDSCP briefing note

This policy should be read in conjunction with:

034 Child protection policy and safeguarding procedures

036 Whistle blowing procedure

[Allegations Against Staff, Carers and Volunteers \(trixonline.co.uk\)](#)

[Keeping children safe in education](#)

[Making barring referrals to the DBS](#)

This procedure was adopted at a meeting of Grindleford and Eyam Playgroup held on:

Date to be reviewed:

Signed on behalf of the committee:

Name of signatory:

Role of signatory: