

# Allegations against Staff and Volunteers

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This Guidance has been designed as a source of advice with Youth Work Organisations.

Any allegation or concern that an employee or volunteer has behaved or may have behaved in a way that has hurt/harmed, or potentially harmed, a child or young person, must be taken seriously and dealt with sensitively and promptly, regardless of where the alleged incident took place.

Any allegation against a member of staff must be reported within 24 hours to the County LADO Service, by the DSO. This referral will determine whether the allegation reaches the harm threshold to justify involvement from a LADO in the management of the allegation.

An allegation implies that a member of staff may have:

- Behaved in a way which has harmed or may have harmed a child or young person.
- Possibly committed a criminal offence against or related to a child.
- Behaved in a way towards a child in a way that indicates that they may pose a risk of harm to the children or young people they work with.

Depending on the outcome of the LADO referral, appropriate next steps may involve:

- The police investigating a possible criminal offence.
- Your local child protection services making enquiries and/or assessing Whether a child is in need of support.
- your organisation following the relevant disciplinary procedures with individuals concerned.

Do not take a statement from the young person or the alleged member of staff unless asked to. The organisation must not initiate an internal management investigation into an allegation against a member of staff until contact has taken place with the County LADO Service. If police or other external agencies are then involved, internal management investigations should only be pursued once they have concluded.

In exceptional circumstances it may be possible for a criminal investigation and an internal investigation to run concurrently but this should only be in the most severe of cases after discussion with the Police to ensure that primary evidence is not compromised. This matter is more straightforward if the member of staff has pleaded guilty to an offence.

Any children involved must be offered, or signposted, to appropriate support.

The senior Manager must ensure the referral is made to the County LADO as soon as possible. As you may be asked to clarify details or the circumstances of the allegation, write a dated and timed note of what has been disclosed or noticed, said or done.

The referral may require further liaison with the LADO. The LADO will attend any strategy meetings that are convened and liaise closely with the organisation to ensure that they are represented in the meetings and decision-making process. The LADO will also ensure that other key Local Authority agencies are informed, according to the circumstances of the case.

The senior Manager must determine if the allegation indicates unsuitable behaviour, as outlined within organisational Safeguarding procedures and Code of Conduct policy. If unsure, further consultation with the LADO for your area can offer guidance (the details can be found on the Children's Local Partnership Board website).

The Senior Manager will co-operate with the investigating agency's enquiries as appropriate and give consideration of employment issues and possible disciplinary action where the investigating agencies take no further action.

Ensure that the young person and member of staff do not have contact while an investigation is underway.

You may be asked to complete a transference of risk assessment if the concern is raised outside of their role within the organisation, e.g an allegation relating to the individual's personal life. (see Transference of Risk policy) Staff also need to be aware that if their own child/children come to the attention of the statutory agencies for child protection, then issues of transference of risk will need to be considered by the organisation.

If it is determined that thresholds have been met for further investigation, i.e a young person has been hurt or harmed or put at risk of significant harm, the Senior Manager may be asked to complete an internal investigation and specific risk assessments, to determine if further action is needed within the organisation. The LADO may convene a meeting, to share the outcome of the organisations internal investigation and to address whether the member of staff is suitable to continue within their role.

Should the outcome of the allegation against the member of staff determine that harm has been caused, the organisation will follow their own internal procedures of disciplinary, investigation and/or hearing.

As a result of a disciplinary hearing the member of staff could be asked to undertake further training, or ultimately be dismissed.

Referral to the Disclosure and Barring Service (DBS) must be made if a person in regulated activity has been dismissed or removed due to safeguarding concerns or would have been had they not resigned.

**Flow Chart - Handling allegations of abuse made against adults who work or volunteer with children and young people:**

