

# **Families Fighting for Justice and O.L.L.Y**

## **(Our Lost Love Years**

### **Managing Allegations of Abuse Against Staff**

**Reviewed 1<sup>st</sup> March 2023**

It is essential that allegations made against staff including volunteers and placement students are dealt with quickly, fairly, and consistently and in a way that provides effective protection for the child as well as supporting the person who is subject to the allegation.

All staff should be aware of what to do should they receive an allegation against another member of staff or they themselves have concerns about the behaviour of another member of staff. It is our policy that allegations will be reported straight away to the child protection officer. Should the allegation be made against him or in his absence please report it to **Jean Taylor**.

#### **Purpose**

The policy will be adopted in respect of allegation that might indicate that a member of staff, volunteer or placement student is not suitable to work with children. If they have:

- Behaved in a way that has harmed a child or may harm a child.
- Possibly created an offence against or related to a child.
- Behaves towards a child or children which indicate they are unsuitable to work with children.

In addition, procedures will also be used if:

- There are concerns about the person's behaviour towards their own child.
- Children unrelated to their employment or voluntary work, and there has been a recommendation from a strategy discussion that consideration should be given to the risk posed to children they work with.
- When an allegation is made about abuse that took place some time ago and the accused person may still be working or having contact with children.

There may be up to three strands of consideration of an allegation.

- A police investigation of a possible criminal offence.

- Enquiries and assessment of children's social care about if a child needs protection or in need of services.
- Consideration by an employer of disciplinary action in respect of the individual.

### **Supporting those involved**

Parents or carers of the child should be told about the allegation as soon as possible if they do not already know. They should be kept informed about the progress of the case and told the outcome if there is not a criminal prosecution. That includes the outcome of any disciplinary process. N.B The deliberations of any disciplinary hearing, and the information considered in reaching a decision, cannot be normally disclosed, but those concerned should be informed of the outcome. IN cases where a child may suffer significant harm, or there may be a criminal prosecution, children's social care or the police as appropriate, should consider what support the child may need.

The employer should also keep the person who is subject to the allegations informed of the progress of the case and arrange to provide appropriate support to the individual while the case is on-going. If the person is suspended the employer should also decide to keep the individual informed about developments in the workplace.

### **Confidentiality**

OLLY's/FFFJ confidentiality should be always adhered to.

Every effort should be made to maintain confidentiality and guard against publicity while an investigation is being investigated/considered. Police will not normally provide any information to the press or media that may identify an individual who is under investigation, unless and until the person is charged with a criminal offence.

### **Resignations and Compromise Agreements**

The fact that a person tenders his or her resignation, or ceases to provide their services, must not prevent an allegation being followed up. It is important that all effort is made to reach a conclusion in all cases of allegations bearing on the safety and well-being of the child. Wherever possible the person should be given a full opportunity to answer the allegation and any supporting evidence and reaching a judgement about whether it can be regarded as substantial on the basis of all the information available should continue even if that cannot be done or the person does not cooperate.

By the same token, so called 'compromise agreements' by which a person agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, must not be used in these cases. In any event, such an agreement will not prevent a thorough police investigation where appropriate.

### **Record Keeping**

It is important that employers keep a clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and details of any actions taken, and decisions reached on a person's confidential personnel file and a copy given to the individual. Such information should be retained on file, including for people who leave the organisation, at least until

the person reaches normal retirement age or for 10 years if that will be longer. The purpose of the record is to enable accurate information is to be given in response to any request for a reference.

### **Timescales**

It is in everyone's interest to resolve cases as quickly as possible consistent with a thorough and fair investigation. Every effort should be made to manage cases and avoid unnecessary delay.

### **Initial Considerations**

Procedures need to be applied with common sense and judgement. Some allegations may be so serious as to require immediate referral to children's social care and the police for investigation. Others may be less serious and at first sight might not seem to warrant consideration of a police investigation, or enquiries by children's social care. However, it is important to ensure that all allegations are followed up. The employer should inform the accused person about the allegation as soon as possible.

### **Suspension**

The possible risk of harm to children posed by an accused person needs to be effectively evaluated and managed, in respect of the children involved in the allegations, and any other children in the individuals home, work or community life. In some cases that will involve the employer to consider suspending the person. An individual will be immediately suspended whereby the child has suffered significant harm or the allegation warrants a police or children's services investigation.