

# **Skallywags Nursery**

## **Managing Allegations against staff**

Skallywags nursery is committed to ensure that the safety and well-being of all the children and their families in our care are protected and will always consider an allegation made against a practitioner, student, volunteer or Parent. as a child protection matter in the first instance. All matters will be taken seriously.

This policy was prepared by Skallywags nursery on 07.5.2011 and will be reviewed every year or as required. *(updated by Karen Sproul (Manager) on the 9<sup>th</sup> May 2013)*  
**Updated 24<sup>th</sup> February 2020 By Karen Sproul**

### **Whistle blowing policy**

This policy aims to encourage practitioners/parents to feel confident in raising concerns and to ensure that we will support them throughout the process; Skallywags nursery will ensure that all concerns receive a response, and the process to follow if not satisfied with the outcome. We will also offer information for other support such as trade union support.

This policy also aims to reassure staff that they will be protected from any reprisals or victimisation from the setting if the matter disclosed seems to show wrong doing and they approached the matter appropriately and in good faith. Likewise, if an investigation leads to the concern being unfounded, we ensure that the person does not suffer any detriment. However, if we find the concern was not raised in good faith, we will then pursue this avenue for explanations and seek advice from our union.

#### **When to raise a concern:**

- **A crime has been committed. For Example; child abuse**
- **A person has failed is failing to comply with legal requirements of the EYFS**
- **That the health and safety of an individual has been or is likely to be endangered.**
- **That the environment has been or is likely to be damaged**
- **That information tending to show any of the above has been concealed or is likely to be concealed.**
- **An adult is thought to have been vindictive towards a child/ren and their practice is deemed poor.**

## **How to raise a concern**

### **Stage one**

If an employee has a concern about malpractice, the first step is to raise it with their manager. This may be done orally or in writing.

### **Stage two**

If the employee feels unable to for whatever reason to raise this matter with their manager, they should raise it with the manager of the opposite department or straight to the proprietor.

### **Stage three**

If however the employee feels unable to speak to anyone at the setting they should contact Ofsted **whistle blowing hotline on 0300 123 1231**

**Alternatively, write to OFSTED, WBHL, Ofsted, Picadilly Gate, Store Street Manchester, M1 2 WD**

**Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)**

**Southwark multi agency safeguarding Hub (MASH) on 0207 525 1921**

or seek advice from **Wendy Geller at Southwark early years on 0207 525 5181.**

## **To protect the identity of the employee**

When an employee raises an allegation, they should state whether they are doing so in confidence therefore enabling us or other agency to protect their identity, the person they contact can then make appropriate arrangements.

Skallywags nursery will not accept harassment or victimisation of their staff if this should occur then the employee must inform their manager or person/s in a supervisory/managerial position as soon as possible and all efforts will be carried out to resolve issues.

## **Initial response to Allegation**

Once an allegation has been made the setting will take the following steps:

- Look into it to assess it initially to determine what action should be taken. This may involve an internal inquiry or a more formal investigation.
- Ask witnesses for written/ oral statements and ensure that notes/dates are made and kept of the process followed
- Inform OFSTED and LADO as required by the EYFS and adhere to any advice/guidance given.
- Information will be gathered to support the investigation

- Write to the employee summarising your concern (within 3 working days) and setting out how you propose to handle it and provide them with details of who will be handling the matter and how they contact him or her.
- The investigations will be conducted on a strictly confidential basis and the subject of the complaint will not be informed unless and until it becomes necessary.
- The employee who raised the concern will be given as much feedback as necessary. However, they should not be told the precise action that is taken as
- this would infringe a duty of confidence owed by the employer to someone else.

There could be occasions when a concern raised will not only be an employment concern but could be a child/vulnerable adult protection matter and thus additional procedures will need to be integrated. If the concern raises concerns about the suitability of a person to work with children then a discussion must be had with The Local Authority Delegated Officer (LADO)

### **What is LADO**

(local authority designated officer)

Provides advice and guidance to employers and other individuals who have concerns relating to an adult who works with children and young people. (this could be volunteers, students or anyone who has contact with children, even those in high positions such as religious leaders.

These concerns could be:

- an adult has behaved in a way that has harmed or may have harmed a child
- possibly committed a criminal offense against or related to a child
- behaved in a way that suggests they may be unsuitable to work with children

Any concerns that meet the criteria above should be reported to LADO immediately.

LADO will offer initial guidance on the next steps to take and the most appropriate way to manage the allegation.

LADO will liaise with the police and other agencies and will monitor and maintain an overview of the case to ensure it is dealt with quickly, consistently and fairly.

LADO will ensure child protection procedures are initiated where the child is considered to be at risk.

LADO will offer advice on information sharing and assist the employer in decisions about a person's suitability to return to the children's workforce.

### **Employee disciplinary action**

If during the investigation it is decided together with LADO that suspension of an employee will ensure the immediate safety of children and adults they will be

informed of this by their manager and through a written letter explaining the terms of the suspension. (It is also recognised that all those who will need to know of the suspension will not necessarily need to know the nature of that suspension, this will be kept confidential).

If after the investigation the concern raised is confirmed and the allegation is of a serious nature, there will be 3 strands of action

1. Police investigation
2. Social care inquiry
3. employee disciplinary action

After full investigation carried out by the above agencies, a decision will be made as to whether a criminal prosecution will be made.

If, however it is decided that they are not going to prosecute the setting may still wish to terminate an employee's contract because they have not followed code of conduct/induction/policies etc.

Where the adult is reinstated, the LADO may give recommendations in relation to additional support or training

If an individual is dismissed from their position a referral to the independent safeguarding authority will be made and they will make a decision on whether individuals should be barred from working with all children.

**How to contact LADO:**

Southwark LADO

QAU Duty member: 0207 525 3297

QAU Service manager (**LADO**) : 0207 525 0689

Head of social work improvement and quality assurance: 0207 525 0387

**Recruitment and selection**

All members of Skallywags nursery team are carefully recruited, for their suitability to work with children and their families. Prior experience and references are obtained from previous work placement, if this first-time employment, references are sought from education facility. If the candidate has been unemployed for some time, we may accept a character reference (not accepted from Family) .

A 3-month probation period of all staff is carried out before a full-time employment is offered. Skallywags nursery routinely conducts checks, inducts and trains all members of the staff team in high standard of safeguarding practice and works to the provision professional code of practice.

Signed:

Print name:

Date:

Updated 21<sup>st</sup> May 2018  
24<sup>th</sup> Feb 2021  
1<sup>st</sup> September 2025