



MANAGING ALLEGATIONS OF ABUSE MADE AGAINST STAFF HUCKLEBERRIES NURTURE FARM CIC

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Contents

Managing Allegations of Abuse Made Against Staff.....	2
Scope.....	2
Timescales.....	3
Specific Actions	3
Confidentiality.....	4
Record-keeping	4
References	5
Learning lessons.....	5

Managing Allegations of Abuse Made Against Staff

Scope

This procedure should be read in conjunction with the Safeguarding Policy. It applies to all cases in which it is alleged that a current member of staff or volunteer has:

- behaved in a way that has harmed or may have harmed a child or adult at risk, or
- possibly committed a criminal offence against or related to a child or adult at risk, or
- behaved towards a child(ren) or adult(s) at risk in a way that indicates he or she would pose a risk of harm to children or adults at risk

It applies regardless of whether the alleged abuse took place at Huckleberries. Allegations against staff or volunteers no longer working at Huckleberries and historical allegations of abuse will be referred to the police.

We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective child and adult at risk protection while also supporting the individual who is the subject of the allegation.

Our procedures for dealing with allegations will be applied with common sense and judgement. In the event of an allegation that meets the criteria above, the senior lead for safeguarding or other appointed board member – the ‘Case Manager’ – will take the following steps:

- Immediately discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children’s social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children/adults at risk or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or social care services, where necessary). Where the police and/or social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate carefully consider whether suspension of the individual from contact with children/adults at risk is justified or whether alternative arrangements can be put in place. Advice will be sought from the designated officer, police and/or social care services, as appropriate
- **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at Huckleberries and their contact details

- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action and/or liaise with the police and/or social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.
- Inform the parents or carers of the child(ren)/adult(s) at risk involved about the allegation as soon as possible if they do not already know (following agreement with social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against staff or volunteers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed will be advised to seek legal advice
- Keep the parents or carers of the child(ren)/adult(s) at risk involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child or adult at risk, or if the individual otherwise poses a risk of harm to a child or adult at risk.

Where the police are involved, wherever possible the Board will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the disciplinary process, should this be required at a later point.

Timescales

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, we will instigate appropriate action within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

Specific Actions

Action following a criminal investigation or prosecution

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, considering information provided by the police and/or social care services.

Conclusion of a case where the allegation is substantiated

If the allegation is substantiated and the individual is dismissed, or Huckleberries ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager will discuss with the designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

Individuals returning to work after suspension

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child(ren) or adult(s) at risk who made the allegation, if they are still attending sessions at Huckleberries

Unsubstantiated or malicious allegations

If an allegation is shown to be deliberately invented, or malicious, the Board will consider whether any disciplinary action is appropriate against the person(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate.

Confidentiality

Huckleberries will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the local authority's designated officer, police and social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child(ren) adult(s) at risk involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

Record-keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case. Such records will include:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken, and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, Huckleberries will retain the records of the case on the individual's confidential personnel file and provide a copy to the individual.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all

other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

References

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated or malicious, or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

Learning lessons

After any cases where the allegations are *substantiated*, we will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to our procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual