

Innsworth Preschool Staff Allegation Policy

Last Updated: 1st January 2026

1. Purpose and Scope

1.1 Overview: This policy sets out the clear and robust process followed at Innsworth Preschool when an allegation is made against any staff member, volunteer, or agency worker.

1.2 Objective: We are committed to treating all allegations with the required urgency, transparency, and fairness, ensuring a procedure that protects children while safeguarding the rights of staff.

2. Legal and Statutory Framework

2.1 Compliance: This policy is underpinned by the Statutory Framework for the Early Years Foundation Stage (EYFS). It complies with:

- The Children Acts 1989 and 2004.
- Working Together to Safeguard Children.
- The Public Interest Disclosure Act 1998.
- UK GDPR and the Data Protection Act 2018.

2.2 Guidance: We may also refer to *Keeping Children Safe in Education (KCSIE)* Part Four as good practice where relevant to our setting.

3. What Constitutes an Allegation?

3.1 Criteria: This policy applies to all adults working in our setting and covers any allegation that an individual 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 they may pose a risk of harm.

4. Context of Physical Handling (Farm School)

4.1 Recognition: We recognise that in our specific Farm School and outdoor learning environments, physical contact is sometimes necessary and appropriate to ensure safety (e.g. lifting children over muddy fences, "hand-over-hand" tool guidance, or intervening to prevent injury from animals).

4.2 Boundaries:

- **Context:** Any investigation will consider the specific context of the environment.
- **Compliance:** However, all physical contact must comply with our Positive Handling Policy. It must be proportionate, necessary, and public. Any concern regarding the nature or frequency of contact will always be taken seriously and explored.

5. Immediate Reporting and Fact-Finding

5.1 Reporting Lines:

- **Immediate Risk:** If there is immediate risk of harm, call the Police or Children's Social Care first, then contact the LADO.
- **Standard Report:** All allegations must be reported without delay to the Designated Safeguarding Lead (DSL).
- **Against the DSL:** If the allegation concerns the DSL, it must be reported directly to the Preschool Manager.
- **Against Management:** If the allegation concerns the Manager/Owner, or if the management team is conflicted, the reporter must contact the Local Authority Designated Officer (LADO) directly for advice.
- **Whistleblowing:** Concerns may also be raised externally under our Whistleblowing Policy if staff feel internal reporting routes are inappropriate or have failed.

5.2 Immediate Record: A written record must be created **immediately**.

- **Content:** This must include the date, time, location, who made the report, who received it, and the **exact words** used by the accuser or child.
- **Tone:** This record must be factual and non-subjective.
- **Confidentiality:** Do not promise confidentiality to the accuser (as information may need to be shared for safeguarding).
- **Storage:** Records must be stored securely.

5.3 Minimal Fact-Finding (Do Not Investigate): It is crucial that the person receiving the report **does not investigate**.

- **Permitted:** Establishing basic facts (Who? When? Where? What?) to determine if the threshold is met for LADO referral.
- **Prohibited:** Asking leading questions, interviewing potential witnesses, or taking formal statements. This is to avoid contaminating evidence or compromising any subsequent police/social care investigation.

6. Statutory Notifications

6.1 The LADO: The DSL must notify the Local Authority Designated Officer (LADO) of all allegations that meet the harm threshold within **one working day** (or as soon as possible if urgent). We will follow LADO advice strictly regarding next steps, including when and how to inform the accused staff member (to avoid prejudicing evidence).

6.2 Ofsted: We will notify Ofsted of:

- Any allegation of serious harm or abuse by any person living, working, or looking after children at the premises as soon as reasonably practicable, and always within **14 days** of the allegation being made.
- Any significant event or incident that affects the suitability of the provider or premises.

6.3 Agencies: If the allegation concerns an agency worker, we will notify the agency immediately and cooperate with their internal processes while following LADO guidance.

7. Immediate Protective Actions

7.1 Safety: Initial actions will focus on the safety of the child. This may include, on the advice of the LADO, considering the suspension of the staff member.

7.2 Suspension: Suspension will be considered only where necessary. Alternatives (e.g. redeployment away from children) will be considered where practicable, in line with LADO advice. Suspension is a neutral, precautionary measure to protect the integrity of the investigation and the child; it is **not** a disciplinary sanction or an indication of guilt.

8. Investigation Process and Outcomes

8.1 Leadership: The **LADO will determine** who leads the investigation (Children's Social Care, Police, or the Preschool). The Preschool will **not** conduct its own internal investigation unless and until authorised to do so by the LADO. Any internal action taken will not compromise police/social care enquiries.

8.2 Resignation: If the accused staff member resigns or ceases to provide their services, the investigation **will continue** to its conclusion. We will not enter into "settlement agreements" that prevent the disclosure of safeguarding concerns.

8.3 Outcomes:

- **Substantiated:** There is sufficient evidence to prove the allegation.
- **Malicious:** There is sufficient evidence to disprove the allegation and there has been a clear act of deception.
- **False:** There is sufficient evidence to disprove the allegation.
- **Unsubstantiated:** There is insufficient evidence to either prove or disprove the allegation. (The term, therefore, does not imply guilt or innocence).
- **Unfounded:** There is no evidence or proper basis which supports the allegation being made.

8.4 Malicious Allegations: We have a duty of care to our staff. Where an allegation is formally determined to be malicious by the investigating authority (or on clear evidence), we may review the parent partnership and placement under our Admissions, Conduct, and Exclusion policies. We may also seek legal advice or report the matter to the police if the behaviour meets the threshold for harassment.

9. Low-Level Concerns

9.1 Distinction: We distinguish between "Allegations of Harm" and "Low-Level Concerns" (conduct that does not meet the harm threshold but is inconsistent with our Code of Conduct).

9.2 Process:

- **Reporting:** Staff must report such concerns to the Manager. Concerns about the Manager/Owner should be reported to the DSL (if separate) or directly to the LADO.
- **Management:** These are dealt with internally via management conversations and training to improve practice.
- **Recording:** They are recorded confidentially to monitor patterns but do not automatically trigger a LADO referral unless a pattern emerges.

10. Confidentiality and Communication

10.1 Managing Information:

- **Single Point of Contact:** To prevent misinformation, the Manager will act as the single point of contact for the accused staff member and the parents.
- **Gossip Ban:** Staff are strictly prohibited from discussing the allegation internally or on social media.
- **Records:** A clear summary of the allegation and outcome will be kept on the staff member's confidential personnel file (retained in line with our Data Retention Schedule and any legal/insurance requirements). The full investigation file is stored separately in a restricted access safeguarding file.

10.2 Parents of the Child: Parents of the child involved will be informed of the allegation as soon as possible, **but only after** consultation with the LADO/Police to ensure evidence is not compromised.

- **Content:** We will not share confidential HR information about staff; we will share outcomes relevant to the child's safety and care where appropriate.

11. Support

11.1 Commitment: We are committed to providing pastoral support to the accused staff member (who is innocent until proven otherwise) and ensuring the child involved receives consistent care and support without fear of repercussion. We will endeavour to keep the accused staff member updated on the progress of the investigation, subject to any restrictions imposed by the LADO or Police.

12. DBS Referrals

12.1 Mandatory Duty: As required by law, we will make a mandatory referral to the Disclosure and Barring Service (DBS) if a staff member is dismissed (or resigns) because they have harmed a child or placed a child at risk of harm.

13. Monitoring and Review

13.1 Review: This policy is reviewed annually or immediately following any serious incident or change in legislation.

