

Will details of the investigation be kept on my work records or shared with anyone else?

It is important that employers keep a summary of any allegations made, details of how the allegation was followed up and resolved, and details of any action taken and decisions reached, on a person's confidential personnel file. However you will normally be given a copy of this information.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference. It will also provide clarification in cases where a future Criminal Records Bureau Disclosure reveals information from the police that an allegation was made but did

not result in a prosecution or a conviction. It will also protect your reputation as if the allegation is found to be unsubstantiated this will be recorded.

The Local Safeguarding Children Board will also keep a record of all allegations made against persons working with children for monitoring purposes. They will hold personal information including contact details, the nature of the allegation and the outcome. This information will be stored securely in line with Data Protection Act requirements.

Good Practice in dealing with allegations

Being under investigation is always stressful, but agencies can help by:

- Minimising delay
- Providing you with written information
- Being open and honest
- Ensuring access to independent support.

If you are unhappy about the way you have been treated by your employer, you should refer to your employer's Grievance Policy. If you are unhappy about the way the investigation was conducted, you should contact the Local Authority's Designated Officer in the first instance.

What rights do I have under data protection legislation?

The data protection act gives certain rights to individuals including:

- the right to have access to any information held about themselves
- the right to have corrected factual personal information that is incorrect or misleading

- It is usual practice to retain records for 6 years, however under safeguarding children legislation, records will be kept until retirement age or 10 years after, if that is sooner.

The Local Authority Designated Officer
01522 554674

Experience shows that children can be subjected to abuse by those who are supposed to be caring for them. It is essential that children do not feel inhibited from reporting abuse against them by staff or volunteers. Children have a right to be treated properly and any incident where a child or adult feels that a trusted adult has crossed the boundary of acceptable behaviour should be reported. All individuals who work with children must ensure that the environment they work or live in encourages children to make truthful reports of unacceptable behaviour.



Every Child Matters In Lincolnshire



Safeguarding Children

Supporting Staff and Volunteers

When an allegation is made against you

Every Child Matters In Lincolnshire



Dealing with an allegation

This leaflet aims to provide information to those working with children about what happens if an allegation is made which alleges that they may have harmed or neglected a child in their care. This includes situations where an allegation has been made which questions an individual's suitability to work with children.

Becoming the subject of an allegation is always stressful for the individual concerned. The challenge for everyone is to ensure that children are effectively safeguarded and that their welfare is promoted while at the same time treating persons accused fairly and honestly.

What happens when an allegation is made?

If an allegation is made about you, you are likely to feel stressed and may also feel aggrieved. Your employer will refer the matter to the Local Authority's Designated Officer whose role it is to offer advice to them in these circumstances.

The Local Authority's Designated Officer will discuss the concerns with your employer and if the concerns are of a serious nature,

they will make a referral to the Police and or Children's Services who will undertake further enquiries.

The Lincolnshire Safeguarding Children Board provides detailed guidance to all agencies about the procedures to be followed and you should request a copy of this guidance.

It is recognised that not all individuals who work with children will have a formal contract of employment i.e. Foster Carers/Self Employed. The term 'employer' in this leaflet encompasses the role of regulatory bodies, or for Foster Carers the Fostering Agency.



What form does the enquiry take?

There are three related, but separate sets of enquiries which need to take place. Each differs in terms of focus and can have different outcomes. The 3 types of enquiries are:

- Child protection enquiries, relating to the safety and welfare of any children who are or who may have been harmed.
- A police investigation into a possible offence.
- Disciplinary procedures/management

action, where it appears that the allegations may amount to misconduct or gross misconduct on the part of staff.

Your employer will aim to inform you about the existence of the allegation as soon as they receive it. However they may not be able to do this until after they have consulted with other agencies. In most circumstances, you could expect to be informed of the substance of the allegation within 3 days of your employer receiving it.

What happens if everyone thinks the allegation is serious?

Children's Services and the Police will hold a meeting to agree what type of enquiries will need to take place and what is required to safeguard any children involved. Your employer will usually be involved and will inform you of the decisions made. The Local Authority's Designated Officer will ensure that any worker undertaking the

enquiry is not known to you and that he/she is able to be independent. It may be that an independent agency such as the NSPCC is asked to undertake the investigation, or alternately a member of staff from another area may be invited to undertake the enquiry.

How will I know what has been decided?

The Local Authority's Designated Officer and your employer will keep you informed of what type of enquiries will be carried out and the expected timescales. You can expect to be treated fairly, be informed verbally and in writing

about the nature of the concerns and be informed of all decisions as soon as possible. It is usual practice for the professionals involved to meet every 4 weeks to review the progress of the investigation.

Where can I get independent support from?

Independent support can be a great help and benefit to you. You may be able to contact some of the following:

- Union or professional association
- Occupational Health or Employee Welfare Service

- General Practitioner
- Foster Line
- Please discuss opportunities for independent support with your employer.

Will I be suspended from work while enquiries are ongoing?

Employers must not suspend persons accused of an allegation automatically, or without careful thought. Your employer will need to consider if there is cause to suspect that a child is at risk of significant harm, or if the

allegation warrants a police investigation or if the concerns are so serious that it might be grounds for dismissal. Your pay may be affected depending on your employer's policy.