



Persons in a position of trust Policy

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PERSONS IN A POSITION OF TRUST' POLICY **(Including staff members)**

This policy applies to anyone who carries out work, paid or unpaid, on behalf of the nursery or other agency and who has access to children and/or privileged information about children as part of their work.

A person deemed suitable to work with the children must be aware that they should refrain from using inappropriate language and gestures including swear words and gestures and discussing personal and inappropriate matters in front of the children.

If a serious concern or allegation is made against a person in a position of trust **it is important that you do not attempt your own investigation.**

A concern can be in the nature of harm, abuse or inappropriate behaviour towards a child. For a more detailed description of these please refer to our child protection and relationship policies.

To ensure the safety and protection of all children within the nursery, all staff, students and volunteers are expected to disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children whether received before or during their employment/placement within the nursery. As part of the nursery supervision process staff will be asked whether there have been any changes regarding this during performance criteria reviews which take place quarterly.

Ofsted must be informed without delay of any 'allegations' of serious harm, abuse or inappropriate behaviour by any person working, or looking after children at the nursery (whether that allegation relates to harm or abuse committed on the premises or elsewhere), and the course of action taken in respect of these allegations. (no later than 14 days after the allegation has been made)

An instant referral to the Coventry local safeguarding children board must also be made.

If you are concerned about the behaviour of a staff member towards a child then you must report it immediately to the designated child protection officer or a manager. Please refer to the whistle-blowing policy.

Once you know what the concerns are:

- Make a written record of the information (where possible in the child/adult's own words), including time, date and place of incident(s), persons present and what was said.



- Sign and date the written record. The child protection officer or manager should countersign and date it.
- The local safeguarding children's board should be contacted immediately.
- The local authority designated officer should also be contacted and made aware of the allegation.
- If a concern is raised out of normal working hours and requires immediate attention, the DCPO (designated child protection officer) should contact the social care out of hour's service and/or the local police.
- The DCPO or manager will need to tell the person that an allegation has been made against them. **They must not at this point tell the accused the nature of the allegation.**
- The person who has been alleged may need to be suspended in order to safeguard everyone involved in the allegation. This must be done without prejudice.
- Someone from the nursery should be designated to offer support to the person who the allegation has been made against during the period of suspension.
- The parent of the child must be informed of the allegation, if they do not already know. They should be given information regarding the nature of the allegation and help to understand the processes of the investigation
- Confidentiality should be maintained for all parties concerned.
- You must be prepared to cooperate with the police (if involved) and any other agencies.
- If the allegations are founded, then disciplinary procedures should be followed.

There may be 3 separate strands to an investigation:

- 1) The child protection investigation which should be undertaken in accordance with the principles, policies and procedures of the LA children's social care team. (see referrals chart)
- 2) Any necessary criminal investigation
- 3) As necessary, the employer's disciplinary procedures should be involved.

Under normal circumstances, it will be necessary for the initial investigation to be concluded within 3 weeks. Once concluded, it will be necessary to decide whether to convene a case conference on the subject of other children who have regular contact with the member of staff/worker. It is not the decision of the Social Care Team to make recommendations regards disciplinary proceedings. This will be done at the manager's discretion. When concluded the outcome of the investigation will be reported back to the manager, so a separate disciplinary investigation can be initiated. In some cases the police may decide to charge the worker.

If the allegations are found to be true the nursery has a duty of care to report it to the ISA. This should be done within 1 month.



If after investigation, a member of staff is able to return to work, support will be given to them to enable them to do so. Consultation with the staff member will take place in order to ensure that transition back to work is smooth and that they are dealt without prejudice or judgment. Staff members will have contact details for relevant agencies to offer them support and guidance.

Families affected by allegations will also be included in consultations to ensure they are happy with the process of the staff member returning to work. They will have support and guidance from managers and relevant outside agencies.

In the event of a concern being raised or allegation made against a manager or owner, you would need to record your concerns and immediately contact the early years local authority designated officer.