



LONDON YOUTH CHOIR

DEALING WITH ALLEGATIONS MADE ABOUT AN EMPLOYER/VOLUNTEER

This procedure outlines what you should do if a child protection allegation is made against an adult working for or involved in your group or organisation.

The procedure should provide a clear direction to staff and trustees who are called upon to deal with such allegations and to manage investigations that may result from them.

The aims of this procedure are:

- To ensure that children who attend London Youth Choir and any other children who may come to our attention, are protected and supported following an allegation that they may have been abused by an adult from within London Youth Choir.
- To ensure that there is a fair, consistent and robust response to any allegations made, so that the risk posed to other children by an abusive individual is managed effectively.
- To facilitate an appropriate level of investigation into allegations whether they are said to have taken place recently, at any time the person in question has been employed by/volunteered with London Youth Choir, or prior to the person's involvement with London Youth Choir.
- To ensure that London Youth Choir continues to fulfil its responsibilities towards members of staff, volunteers or trustees who may be subject to such investigations.
- To ensure that individuals are able to continue in their role if they have been at the centre of allegations that are unfounded or deemed to be malicious in origin.

This procedure applies to:

- Any members of staff, volunteer or trustee to whom an allegation of abuse has been made, that involves another member of staff, volunteer or trustee.
- Anyone in a managerial position (including the designated safeguarding officer for children, line managers, supervisors and trustees) who may be required to deal with such allegations and manage investigations that result from them.

Different Types of Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricate the symptoms of, or deliberately induces, illness in a child.

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless and unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them, 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children.

These may include interactions that are beyond the child's development of capability, as well as over protection and limitation of exploration and learning, or preventing the child participating in normal social interactions. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, the mayor car alone.

Sexual abuse involves forcing or enticing a child or children to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts, such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the Internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur as a result of material substance abuse. Once the child is born it may involve a parent or carer failing to provide adequate food, clothing, and shelter, including exclusion from home or abandonment; failure to protect a child from physical harm or danger; failure to ensure that adequate supervision, including the use of adequate caretakers; or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or on responsiveness to, a child's basic emotional needs.

There are also emerging types and methods of child abuse, including:

- Sexual exploitation
- Female genital mutilation (FGM)
- Trafficking of children in order to exploit them sexually, financially, via domestic servitude, or via the involvement in activity such as the production and sale of illegal drugs
- Abuse linked to beliefs such as spirit possession or witchcraft
- Radicalisation and the encouragement or coercion to become involved in terrorist activities
- Abuse via online methods eg from adults seeking to develop sexual relationships with children or to use sexual or abusive images of them
- Domestic violence (either witnessing violence between adult family members, or, in the case of older young people, being subjected to coercion or violence in an intimate relationship in the same way as an older person)

What to do is an allegation is made or information is received

There are potentially two issues that need to be dealt with as a matter of urgency:

1. Is a child in immediate danger or does she/he need emergency medical attention?
 - Is a child is in immediate danger and is with you, remain with him/her and call the police.
 - If the child is elsewhere, contact the police and explain the situation to them.
 - If the child needs emergency medical attention, call an ambulance and, while you are waiting for it to arrive, get help from your first aider.
 - If the first aider is not available, use any first aid knowledge that you may have yourself to help the child. You also need to contact your supervisor/manager or named person for child protections to let them know what is happening.

The member of staff or manager should also inform the child's family if the child is in need of emergency medical attention, and arrange to meet them at the hospital or medical centre. The parents/carers should be informed that an incident has occurred, that the child has been injured and that immediate steps have been taken to get help.

2. Is the person at the centre of the allegation working with children now?

If this is the case, the concern needs to be discussed immediately with the manager of the group/organisation and the designated safeguarding officer for children. One of these (either the manager or designated safeguarding officer) should then, in a sensitive manner, remove the staff member involved in the allegation from direct contact with children.

It should then be explained to the person, in private, that there has been a complaint made against him/her, although the details of the complaint should not be given at this stage. The person should be informed that further information will be provided as soon as possible but that, until consultation has taken place with the relevant agencies and within the organisation, they should not be working with children. It may be best, under the circumstances, for the person to return home on the understanding that the manager or designated safeguarding officer for children will telephone him/her later in the day.

The information provided to him/her at this stage will need to be very limited. This is because discussions need to take place first with other agencies who may need to be involved, such as the local authority children's social care department or the police.

If the person is a member of a trade union or a professional organisation, he/she should be advised to make contact with that body. Arrangements should also be made for the member of staff or volunteer to receive ongoing support in line with the responsibilities the organisation has towards his or her welfare.

Conducting an investigation

Once any urgent steps have been taken, attention can be given to dealing with the full implications of the allegation.

There are up to three possible lines of enquiry when an allegation is made:

- A police investigation of a possible criminal offence
- Enquiries and an assessment by the local authority children's social care department about whether a child is in need of protection
- Investigation by an employer and possible disciplinary action being taken against the person in question. This includes implementing a plan to manage any risk posed by the individual to children and young people in the workplace until the outcome of the other investigations and enquiries is known. If the individual is a volunteer, then they are unlikely to be subject to the disciplinary procedure, but nonetheless the organisation will need to consider whether the person can continue the role and, if so, what steps should be taken to manage any risk that they may pose.

Reporting an allegation or concern

If the allegation is made by a child or family member to a member of staff, or if a member of staff observes concerning behaviour by a colleague at first hand, this should be reported immediately to the staff member's supervisor/manager and the designated safeguarding officer for children; London Youth Choir's lead on handling the investigation.

If a member of staff has received an allegation or observed something of concern about their own manager, the staff member should report the allegation or concern to the person more senior to the manager. If the person who is the subject of the concern is a designated safeguarding officer for children, the matter should be reported to the designated officer's manager.

Issues that will need to be taken into account are:

- The child's wishes and feelings
- The parent's right to know (unless this would place the child or someone else in danger, or would interfere with a criminal investigation)
- The impact of telling or not telling the parent
- The current assessment of the risk to the child and the source of that risk
- Any risk management plans that currently exist

Once any immediate danger or emergency medical need has been dealt with, follow the steps set out in the flowchart at the end of this document.

When to involve the local authority designated officer or team (formerly known as the LADO)

The organisation's designated safeguarding officer for children should report the allegation to their internal senior lead for safeguarding and to the local authority designated officer or team (formerly known as the LADO) within one working day if the alleged behaviour suggests that the person in question:

- May have behaved in a way that has harmed or may have harmed a child
- Has possibly committed a criminal offence against or related to a child
- Has behaved towards a child in a way that suggests that he/she may be unsuitable to work with children

This should also happen if the individual has volunteered the information him/herself.

The local authority designated officer or team may be told of the allegation from another source. If this is the case, then the first information received by the London Youth Choir may be when the local authority makes contact in order to explain the situation.

Whoever initiated the contact, there will be a discussion between the local authority designated officer or team and the London Youth Choir designated officer for children to share information about the nature and circumstances of the allegation, and to consider whether there is any evidence to suggest that it may be false or unfounded.

If there is any reason to suspect that a child has suffered, or be likely to suffer, significant harm and there are no obvious indications that the allegation is false, the local authority designated officer or team, in cooperation with the London Youth Choir, will initiate a strategy discussion within the local authority children's social care department.

The local authority designated officer or team and the organisations designated safeguarding officer for children will take part in the strategy discussion. The designated safeguarding officer and any other representative from the London Youth Choir should cooperate fully with this and any subsequent discussion with the children's social care department.

It should be asked from the outset that the children's social care department shares any information obtained during the course of their enquiries with the London Youth Choir if it has any relevance to the person's employment.

Dealing with a criminal offence

If there is reason to suspect that a criminal offence may have been committed (whether or not the threshold of 'significant harm' is reached), the local authority designated officer or team will

contact the police and involve them in a similar strategy discussion, which will include the organisations designated safeguarding officer for children.

The designated safeguarding officer for children and any other representative from the London Youth Choir should cooperate fully with any discussion involving the police and should ask for similar cooperation from the police in terms of the sharing of information relevant to the person's employment.

Discussions with the police should also explore whether there are matters that can be acted on in a disciplinary process while the criminal investigation takes place, or whether disciplinary action must wait until the criminal process is completed.

Talking to parents about the allegation or concern

If the child's parents/carer do not already know about the allegation, the designated safeguarding officer for children and the local authority designated officer or team need to discuss how they should be informed and by whom.

Talking to the person who is the subject of the allegation

The person at the centre of the allegation should be informed as soon as possible after the initial consultation with the local authority designated officer or team. However, if a strategy discussion within the local authority children's social care team or the police is needed, this might have to take place before the person concerned can be spoken to in full. The police and children's social care department may have views on what information can be disclosed to the person.

Only limited information should be given to the person in question, unless the investigating authorities have indicated that they are happy for all information to be disclosed or unless there is no need for involvement from the statutory agencies.

The designated safeguarding officer for children will need to keep in close communication with the local authority designated officer or team and the other agencies involved in order to manage the disclosure of information appropriately.

Taking disciplinary action

If the initial allegation does not involve a possible criminal offence, the designated safeguarding officer for children and manager of the person at the centre of the allegation should still consider whether formal disciplinary action is needed.

If the local authority children's social care department has undertaken any enquiries to determine whether a child or children are in need of protection, the designated safeguarding officer for children should take account of any relevant information from the enquiries when considering whether disciplinary action should be brought against the person at the centre of the allegations.

The following timings should be capped to where ever possible, depending on the nature of the investigation:

- If formal disciplinary action is not needed, other appropriate action should be taken within three working days.
- If disciplinary action is required, an can be progressed without further investigation, this should take place within 15 days.
- If the London Youth Choir decides that further investigation is needed in order to make a decision about formal disciplinary action, the designated safeguarding officer for children should discuss with the local authority designated officer or team the possibility of the investigation being done by an independent person to ensure that the process is objective. Whether or not the investigation is handled internally or independently, the report should be presented to the designated safeguarding officer for children within 10 working days.
- Having received the report of the disciplinary investigation, the designated safeguarding officer for children should decide within two working days whether a disciplinary hearing is needed.
- If a hearing is needed, it should be held within 15 working days.
- The designated safeguarding officer for children should continue to liaise with the local authority designated officer or team during the course of any investigation or disciplinary proceedings, and should continue to use the local authority designated officer or team as a source of advice and support.

If a criminal investigation is required, it may not have been possible to make decisions about initiating disciplinary proceedings or about the person's future work arrangements until this is concluded. The police are required to complete their work as soon as reasonably possible and to set review dates, so the designated safeguarding officer for children should either liaise with the person directly or via the local authority designated officer or team to check on the progress of the investigation.

The police are also required to inform the employer straight away if the person is either convicted of an offence or acquitted four, alternatively, if a decision is made not to charge him/her with an offence or to administer a caution. In any eventuality, once the outcome is known, the designated safeguarding officer for children should contact the local authority designated officer or team to discuss the issue of disciplinary proceedings.

If the allegation is substantiated and if, once the case is concluded, the London youth choir dismisses the person who ceases to use the services, or the person ceases to provide his/her services, the designated safeguarding officer for children should consult with the local authority designated officer or team about referral of the incident to the Disclosure and Barring Service (DBS). This should take place within a month.

Keeping a record of the investigation

Those involved in dealing with the allegation should keep clear notes of the allegations made, how they were followed up, and any actions and decisions taken, together with the reasons for these.

These notes should be compiled gradually as the situation unfolds, with each entry being made as soon as possible after the event it describes. The notes should be signed and dated by the person making them, and the person's name should be printed alongside.

The notes should be kept confidentially on file of the person who is the subject of the allegation. Discussion should take place with the local authority designated officer or team to determine whether any aspects of the notes may not be shared with the person concerned. If there are no reasons not to do so, a copy of the records should be given to the individual.

The notes should be held on file for a 10-year period, whether or not the person remains with the London Youth Choir for this period. During the period of the Independent Inquiry into Child Sexual Abuse (IICSA) it is advisable to keep such notes indefinitely.

Useful Contacts

Designated Safeguarding Person (DSP)

Name: Cathy Phillips Brady, Head of Safeguarding and Wellbeing (HoSW)
pastoral@londonyouthchoir.com / cathy.alghabra@londonyouthchoir.com
07845614666

Deputy DSP

Name: Florence Bavanandan
pastoral@londonyouthchoir.com
07809737459

Choirs Manager (for contact if neither DSP nor Deputy is available)

Name: Jenny Forsyth
pastoral@londonyouthchoir.com / office@londonyouthchoir.com
07542 109851

Senior lead for safeguarding

Name: George Wills, Lead Trustee for Safeguarding
george.wills@drystone.com

Children's Social Care (City of London)

020 7332 3621 / 020 8356 2710

Emergency duty team in Children's Social Care

020 7332 3621

Designated person in local authority for managing allegations against staff

LADO@cityoflondon.gov.uk

020 7332 1215

City of London Police
0800 389 5909 / 101 / 999

CEOP
www.ceop.police.uk

NSPCC Helpline
0808 800 5000

help@nspcc.org.uk

Childline: 0800 1111

We are committed to reviewing our policy and good practice annually and when there are significant changes in legislation or internal to our organisation.

This policy was last reviewed on: **Wednesday 19 September 2018**

Person responsible for overseeing review:

Signed: **Cathy Phillips Brady, Head of Safeguarding and Wellbeing**