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| AGE UK EXETER |
| Controlled DocumentDocument Name: Managing Allegations PolicyDocument Reference Number: POL1 Document Version Number 1Agreed by Standards Committee on: 3 September 2018Approved by Board of Trustees on: 11 September 2018Review Schedule Every two yearsNext review due September 2020Owner (Responsibility) Martyn Rogers, CEOPass amendments to: QA & Systems ManagerRevision History See appendixDocument Location Idrive/Resources/Policies/Pol1 |
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| Document DescriptionThis document sets out the procedure to be followed when managing an allegation and should be read alongside the Safeguarding Policy. |
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| Implementation and Quality AssuranceImplementation is immediate and this Policy shall stay in force until any alterations are formally agreed.The Policy will be reviewed every two years by the Board of Trustees, sooner if legislation, best practice or other circumstances indicate this is necessary. All aspects of this Policy shall be open to review at any time. If you have any comments or suggestions on the content of this policy please contact Sue Martyr, s.martyr@ageukexeter.org.uk or at Age UK Exeter, 138 Cowick Street, Exeter,EX4 1HS, 01392 455600 |

**Managing Allegations**

This policy should be read in conjunction with the Safeguarding Policy

Allegations may be made that indicate a person may have:

* behaved in a way that has harmed or may have harmed an adult who may be at risk, or a child *or*
* possibly committed a criminal offence against an adult who may be at risk, or against a child *or*
* behaved in a way that indicates s/he is unsuitable to work with adults who may be vulnerable or with children

**Any allegation of criminal or abusive behaviour that is made to us by a client, volunteer, member of staff or member of the public against anyone else MUST be reported immediately to the Chief Executive; or in his absence the Services Manager** **(the ‘Senior Manager’). The Senior Manager will immediately inform the Chair or in his absence, the Vice-Chair of the Board of Trustees of the allegation.**

**Procedure for Managing Allegations**

1. The Senior Manager will first take **all reasonable steps to safeguard the adult who may be at risk/child.** Depending on circumstances, this may include immediate **suspension without prejudice** of the member of staff against whom an allegation has been made. If the allegation relates to a volunteer, the Senior Manager may ask the volunteer to desist from their volunteering activities.

In either case, the Senior Manager will explain that the suspension from normal duties / volunteering does not infer guilt; but is a requirement of our policy in order to give space to properly investigate the allegation. **Support must be offered** (from another senior member of staff) to the staff member or volunteer and it must be made clear **how they will be kept informed of what is happening**. They should also be assured that there will be a proper opportunity for them to respond to the allegation made.

Any such suspension may be made in person or on the phone initially, but will be subsequently put in writing. The situation must be handled sensitively and confidentially, in recognition that the allegation may be without substance.

2.The Senior Manager will start a **Record of Concern and Action** (**ROCA)\*[[1]](#footnote-1)** as a means of keeping all the information together and recording actions taken. The ROCA to be password protected.

3. Where the allegation made **relates to a worker or volunteer of another agency**, the Senior Manager will determine whether the concern is passed over directly to that agency or reported to the Adult Safeguarding Team; or in the case of a child to the Multi-Agency Safeguarding Hub.

The decision will be confirmed with the Chair of Trustees, or Vice Chair, and recorded fully on the ROCA.

If the allegation **relates to criminal or abusive behaviour towards a child or young person under the age of 18**, the Chief Executive / Services Manager will also pass the concern to the Local Authority Designated Officer (LADO).

The Senior Manager will also consider whether or not they should inform the **police** (this may depend on the capacity of the alleged victim to consent to this, and/or to the gravity of the alleged crime).

All decisions to refer, or not, with reasons, must be recorded on the ROCA.

4. The Senior Manager will identify what information needs to be collected, and to whom they need to speak in order to get a clearer picture of the allegation and what actually occurred. The Senior Manager may decide that the **investigation** needs to be completed by another senior member of staff, or trustee; particularly if there is a chance that disciplinary action may subsequently be taken. Clear terms of reference for the investigation will be agreed, with a timescale. It will be made clear to the member of staff / volunteer that any interviews undertaken during the investigation are *not* part of a disciplinary process, but are for the purpose of clarification.

5**.**  The Senior Manager will make a decision based on the investigation as to whether **disciplinary action** is indicated. If it is, the Disciplinary Policy and Procedure will be followed. If appropriate at the conclusion of the disciplinary process, a referral may be made to the Disclosure and Barring Service.

6. Depending on the circumstances, the Senior Manager may need to report the fact that there has been an allegation, and the outcome, to **DCC contract managers** and report it as a Serious Incident to the Charity Commission

7. The Senior Manager will consider if any learning emerges from the incident, and through discussion with the trustees make appropriate changes or amendments to policy and practice

**Revision History**

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| 3.9.18 | New policy for review by Standards Committee | Recommended to Board for approval. |
| 11.09.18 | Reviewed by Board. Approved. | Next review dueSeptember 2020 |

1. The ROCA is the template document onto which each safeguarding incident, including an allegation, is recorded. Please see AUKE’s Safeguarding Policy for more information and guidance [↑](#footnote-ref-1)