**LADO and Managing Allegations against Staff**

**Multi-agency Procedure**

**August 2020**

***Signed by:***

***Chair of Governors: Date:***

***Headteacher: Date:***

**Wirral Safeguarding Children Partnership**

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**Multi-agency Procedure**

**Date of Review: August 2020**

**Date of Next Review: August 2022**

**Reviewed by:**

**5.11 Managing Allegations Against Staff, Volunteers, Foster and Potential Adoptive Carers who Work with Children RELATED CHAPTER**

[**Guidance on Dealing with Allegations of Abuse against Teachers and other Staff**](http://wirrallscb.proceduresonline.com/chapters/g_dealing_with_alleg.html)

**AMENDMENT**

This chapter has been updated in line with Working Together 2018. Additional information and Guidance for employers is made (see [**Section 5, Suitability**](http://wirrallscb.proceduresonline.com/chapters/p_man_alleg_vol.html#suitability)), access to leaflets for those involved and further clarifying detail for agencies and individual professionals have been made throughout the chapter. The chapter also reflects the current operational structures, particularly with regard to making a referral.

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**1.** **Overview**

**Introduction**

Despite all efforts to recruit safely there will be occasions when allegations of abuse against children are raised. The Wirral Safeguarding Children Partnership (WSCP) has developed these procedures for managing allegations and will be responsible for ensuring arrangements are in place for monitoring and evaluating their effectiveness.

When allegations arise against a person working with children the employer should follow the procedures outlined in [**Working Together to Safeguard Children (2018)**](http://www.workingtogetheronline.co.uk/). The procedures should be used when an allegation is made that an adult has:

* Behaved in a way that has harmed, or may have harmed a child;
* Possibly committed a criminal offence against, or related to a child; or
* Behaved towards a child or children in a way that indicates s/he may pose a risk of harm to children or
* Behaved or may have behaved in a way that indicates they may not be suitable to work with children

It should be noted that when an allegation is raised regarding a professional in a position of trust, the lower threshold is used, that being that the investigation will consider if a child has or may have been harmed and not subject to significant harm as would be used in all other cases. This lower threshold is considered due to the professional’s position of trust.

It is important to recognise that this procedure should be followed in ALL cases where a safeguarding concern or allegation has been made regarding a professional who is in any position of trust with children and young people. There is no burden of proof prior to making this referral and employers should not make any attempts to seek to prove or disprove the allegation prior to referring to the [**LADO**](http://trixresources.proceduresonline.com/nat_key/keywords/local_authority_desig.html).

These behaviours should be considered within the context of the four categories of abuse (i.e. physical, sexual and emotional abuse and neglect). These include concerns relating to inappropriate relationships between members of staff and children or young people, for example:

* Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual (see s16-19 [**Sexual Offences Act 2003**](http://www.legislation.gov.uk/ukpga/2003/42/section/16));
* 'Grooming', i.e. meeting a child under 16 with intent to commit a relevant offence (see s15 [**Sexual Offences Act 2003**](http://www.legislation.gov.uk/ukpga/2003/42/section/15));
* Other 'grooming' behaviour giving rise to concerns of a broader child protection nature (e.g. inappropriate text/e-mail messages or images, gifts, socialising etc);
* Possession of indecent photographs/pseudo-photographs of children.

This document provides additional practice guidance to employers when allegations are made and/or management concerns arise. It does not replace or take priority over any aspect of Employment Law, Child Protection Procedures or Criminal Investigations.

**Statutory Framework**

Working Together to Safeguard Children provides guidance about how to manage allegations against adults working with children and young people.

Working Together states that *all* organisations or individuals that provide services for children or provide staff or volunteers to work with or care for children should operate a procedure for handling such allegations that is consistent with guidance. ‘School’ includes Academies, Free Schools, Independent Schools and all types of maintained schools.

**Underlying Principles**

* The welfare of the child is paramount;
* Adults about whom there are concerns should be treated fairly and honestly and should be provided with support;
* It is the responsibility of all adults to safeguard and promote the welfare of children and young people. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with children and young people.

**2.** **Using the Guidance**

**Target Audience**

This guidance is intended for all employers or individuals providing services to children and young people; it relates to all adults working with children and young people, whether in a paid or voluntary position. It is intended to assist organisations with the interpretation and application of guidance in Working Together concerning the management of allegations against staff.

All references in this document to 'members of staff' should be interpreted as meaning all paid or unpaid staff and volunteers, including foster carers and prospective adopters. This also applies to any person, who manages or facilitates access to an establishment where children are present.

It is not possible within a single document to differentiate between the many different providers of services to children and their related professional languages. Individual organisations or professions, therefore, may need to adapt the terminology used when applying this guidance to their own circumstances.

**3.** **Roles and Responsibilities**

Each WSCP member organisation should identify a Named Senior Officer with overall responsibility for:

* Ensuring that the organisation deals with allegations in accordance with these *Wirral Safeguarding Children Partnership Procedures*;
* Resolving any inter-agency issues;
* Liaising with the WSCP on the subject;
* Liaise with their Human Resources Department and the [**Local Authority Designated Officer LADO**](http://trixresources.proceduresonline.com/nat_key/keywords/local_authority_desig.html) to Undertake any investigation, when it has been confirmed that the police will not lead.

Local authorities are required to assign a Local Authority Designated Officer (LADO) to:

* Be involved in the management and oversight of individual cases;
* Provide advice and guidance to employers and voluntary organisations;
* Liaise with the police and other agencies;
* Monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process.

Wirral LADO contact details are: Anne King

**Office: 0151 666 4442/5525**

Email: **anneking1@wirral.gov.uk**

**and kerrywilliams@wirral.gov.uk**

All Employers should appoint:

* A Designated Senior Manager to whom allegations or concerns should be reported;
* A deputy to whom reports should be made in the absence of the designated senior manager or where that person is the subject of the allegation or concern.

Reference may be made to the DfES/AMA [**Guidance for Safe Working Practice for Adults who work with Children and Young People**](http://webarchive.nationalarchives.gov.uk/20100202100434/dcsf.gov.uk/everychildmatters/resources-and-practice/ig00311/) and [**Guidance for Safer Working Practice for Adults who Work with Children and Young People in Education Settings (March 2009)**](https://www.safeguardinginschools.co.uk/guidance-for-safer-working-practice-for-adults-who-work-with-children-and-young-people-in-education-2015/) which are conduct guidance documents designed for staff at induction.

**4.** **The Process**

**4.1** **Initial Action by Person Receiving or Identifying an Allegation or Concern**

An allegation against a member of staff may arise from a number of sources (e.g. a report from a child, a concern raised by another adult in the organisation, or a complaint by a parent).

The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.

They should not:

* Investigate or ask leading questions if seeking clarification;
* Make assumptions or offer alternative explanations;
* Promise confidentiality, but give assurance that the information will only be shared on a 'need to know' basis;
* Seek further information or evidence to prove the allegation to any degree, prior to referring.

They should:

* Make a written record of the information (where possible in the child / adult's own words), including the time, date and place of incident/s, persons present and what was said;
* Sign and date the written record;
* Immediately report the matter to the Designated Senior Manager, or the deputy in their absence or; where the designated senior manager is the subject of the allegation report to the deputy or other appropriate senior manager.

**4.2** **Initial Action by Designated Senior Manager**

When informed of a concern or allegation, the Designated Senior Manager should *not* investigate the matter in any way, nor interview the member of staff, child concerned or potential witnesses. They should:

* Obtain written details of the concern/allegation, signed and dated by the person receiving (not the child/adult making the allegation);
* Approve and date the written details;
* Record any information about times, dates and location of incident/s and names of any potential witnesses;
* Record discussions about the child and/or member of staff, any decisions made, and the reasons for those decisions.

As is stated in [**Working Together to Safeguard Children 201**](http://www.workingtogetheronline.co.uk/chapters/chapter_two.html#section_eleven)**8**, the employer *must* inform the [**Local Authority Designated Officer (LADO)**](http://trixresources.proceduresonline.com/nat_key/keywords/local_authority_desig.html) within **one working day** when they become aware of an allegation and this *must* be done and *prior* to any further investigation taking place as this could potentially seriously undermine a criminal investigation.

If a police officer receives an allegation, they should, without delay, report it to the Designated Detective Sergeant in the Family Crime Investigation Unit (FCIU). The Detective Sergeant should then immediately inform the LADO. These referrals *must* be made within **one working day**.

Similarly an allegation made to LA Children's Specialist Services should be immediately reported to the LADO and *must* be made within **one working day**.

All referring agencies must ensure that they do *not* delay a referral in order to gather information and a failure to report an allegation or concern in accordance with procedures as above is a potential disciplinary matter.

If the allegation meets the referral criteria, the Senior Manager must complete in full a LADO Allegations referral form:

[**Click here to access the Wirral LADO Allegations referral form**](https://www.wirralsafeguarding.co.uk/professionals/lado-allegations/).

And return this within **one working day**. If an allegation requires immediate attention, but is received outside normal office hours, the designated senior manager should consult the LA Children’s Social Care emergency duty team or local police and inform the LADO as soon as possible.

The LADO will advise the employer whether or not informing the parents of the child/ren involved will impede the investigative processes or disciplinary. Acting on this advice, if it is agreed that the information can be fully or partially shared, the employer should inform the parent/s. In some circumstances, however, the parent/s may need to be told straight away (e.g. if a child is injured and requires medical treatment).

If there is the suggestion that the child has been injured as a result of the professional’s action or inaction; or if there will possibly be a police investigation, normal child protection procedures must run concurrently with Managing Allegations Procedures.

That being that a Multi Agency Request for Service form must be completed by the Named Senior Manager in full and forwarded to the Integrated Front Door.

This must be forwarded immediately to ensure that the opportunity for statutory agencies to review the case and assess the need for a child protection medical is not lost.

Once information sharing has been agreed, the Senior Manager should ensure that the parent/s and the child, if sufficiently mature, are helped to understand the processes involved and kept informed about the progress of the case and of the outcome where there is no criminal prosecution. There are support leaflets for Children & Young People, Parents & Carers, Employees and Employers which outline the Managing Allegations process and can be printed and given to those involved in the process.

The employer should seek advice from their Human Resources Department, the LADO, the police and/or LA Children's Services about how much information should be disclosed to the accused person.

Subject to restrictions on the information that can be shared, the employer should, as soon as possible, inform the accused person about the nature of the allegation, how enquiries will be conducted and the possible outcome, (e.g. disciplinary action, and dismissal or referral to the [**DBS**](http://trixresources.proceduresonline.com/nat_key/keywords/dis_barring_service.html) or regulatory body).

The accused member of staff should:

* Be treated fairly and honestly and helped to understand the concerns expressed and processes involved;
* Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process;
* If suspended, be kept up to date about events in the workplace.

Information regarding liaising with the accused member will be provided by the Human Resources Department. In the case of schools, the LA Consultant Headteachers should also be used as a source of support by the Senior Manager throughout this process. There are support leaflets for Children & Young People, Parents & Carers, Employees and Employers which outline the Managing Allegations process and can be printed and given to those involved in the process.

(See: [**WSCP Allegations against adults working with children**](https://www.wirralsafeguarding.co.uk/professionals/lado-allegations/) for leaflets).

[**Ofsted**](http://trixresources.proceduresonline.com/nat_cont/contacts/ofsted.html) must be informed by the Senior Manager of any allegation or concern made against a member of staff in any day care establishment for children under 8 or against a registered child minder. They should also be invited to take part in any subsequent strategy meeting/discussion.

LA Children's Specialist Services Fostering Department should inform Ofsted of all allegations made against a foster carer, prospective adopter, or member of staff in a residential child care facility.

**4.3** **Initial consideration by the Designated Senior Manager and the LADO**

There are up to three strands in the consideration of an allegation:

1. A police investigation of a possible criminal offence;
2. Social care enquiries and/or assessment about whether a child is in need of protection or services;
3. Consideration by an employer of disciplinary action.

The LADO and the Designated Senior Manager should consider first whether further details are needed and whether there is evidence or immediately available information confirms that the allegation is false or unfounded. Care should be taken to ensure the accurate recording of dates, times, locations or identities of individuals involved.

If the allegation is not demonstrably false and there is cause to suspect that a child is suffering or is likely to have suffered harm, the LADO should ensure the Designated Senior Manager has completed a referral to the MASH (IFD) and ask the LA Children’s Specialist Services to convene an immediate strategy meeting/discussion.

The police must be consulted about any case in which a criminal offence may have been committed. If the threshold for harm is not reached, but a police investigation might be needed, the LADO should immediately inform the police and convene an initial evaluation (similar to [**Strategy Discussions/Meetings and Section 47 Enquiries as Part of Social Work Assessment of Needs and Strengths Procedure**](http://wirrallscb.proceduresonline.com/chapters/p_strat_disc_core_assess.html)), to include the police, employer and other agencies involved with the child. This discussion can take place via the telephone, but is often included as part of the [**Strategy Meeting**](http://trixresources.proceduresonline.com/nat_key/keywords/strategy_meeting.html) chaired by the Team Manager from LA Children’s Specialist Services and attended by the LADO.

References in this document to 'strategy meetings/discussions' should be read to include 'Initial evaluations' where appropriate.

**4.4** **Purpose of Strategy Meeting/Discussion**

Wherever possible, a strategy meeting/discussion/initial evaluation should take the form of a meeting. However, on occasions a telephone discussion may be justified. The following is a list of possible participants:

* Social care manager to chair (if a strategy meeting);
* LADO;
* Relevant social worker(s) and their manager(s);
* Detective Sergeant;
* The Designated and/or named Safeguarding Children Health Professional (CCG); and always when an allegation concerns a health agency worker /professional;
* Consultant paediatrician;
* Designated Senior Manager for the employer concerned;
* Human Resources representative;
* Legal adviser where appropriate;
* Senior representative of the employment agency or voluntary organisation if applicable;
* Manager from the Fostering Service provider when an allegation is made against a foster carer;
* Supervising Social Worker when an allegation is made against a foster carer;
* Those responsible for regulation and inspection where applicable (e.g. CQC,GMC or Ofsted);
* Where a child is placed or resident in the area of another authority, representative/s of relevant agencies in that area;
* Complaints officer, if the concern has arisen from a complaint.

The strategy meeting/discussion/initial evaluation should:

* Decide whether there should be a [**Section 47 Enquiry**](http://trixresources.proceduresonline.com/nat_key/keywords/sec_47_enq.html) and/or police investigation and consider the implications;
* Consider whether any parallel disciplinary process can take place and agree protocols for sharing information;
* Identify sources of advice support for the Senior Named Officer;
* Consider the current allegation in the context of any previous allegations or concerns;
* Where appropriate, take account of any entitlement by staff to use reasonable force to control or restrain children (e.g. [**Section 93, Education and Inspections Act 2006**](http://www.legislation.gov.uk/ukpga/2006/40/section/93) in respect of teachers and authorised staff);
* Plan enquiries if needed, allocate tasks and set timescales;
* Decide what information can be shared, with whom and when.

The strategy meeting/discussion/initial evaluation should also:

* Ensure that arrangements are made to protect the child/ren involved and any other child/ren affected, including taking emergency action where needed;
* Consider what support should be provided to all children who may be affected;
* Consider what support should be provided to the member of staff and others who may be affected and how they will be kept up to date with the progress of the investigation;
* Ensure that investigations are sufficiently independent and those investigating are not conflicted in any way;
* Make recommendations where appropriate regarding suspension, or alternatives to suspension;
* Identify a lead contact manager within each agency to share information with the LADO;
* Agree protocols for reviewing investigations and monitoring progress by the LADO, having regard to the target timescales;
* Consider issues for the attention of senior management (e.g. media interest, resource implications);
* Consider reports for consideration of barring;
* Consider risk assessments to inform the employer's safeguarding arrangements;
* Agree dates for future strategy meetings / discussions.

It should also be noted that it may be necessary to consider what action should be taken to safeguard other children and young people the professional subject to the allegation may have contact with, including their own.

The strategy meeting/discussion/initial evaluation should take into account the following definitions when determining the outcome of allegation investigations:

1. **Founded:** There is sufficient identifiable evidence to prove the allegation;
2. **Malicious:** There is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false;
3. **Unfounded:** There is sufficient evidence to disprove the allegation or there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances;
4. **Unsubstantiated:** This is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation; the term therefore does not imply guilt or innocence.

**4.5 Supply Teachers**

In some circumstances schools will have to consider an allegation against an individual not directly employed by them, where its disciplinary procedures do not fully apply, for example, supply teachers/other supply staff members provided by an employment agency or business.

Whilst our school is not the employer of the supply teacher/other staff member, we will ensure that allegations are dealt with properly. In no circumstances should we as a school decide to cease using the supply teacher/other supply staff member due to safeguarding concerns, without finding out the facts and liaising with the local authority designated officer (LADO) to determine a suitable outcome. Our Headteacher and/or a member of our Governing Body will discuss with the agency whether it is appropriate to suspend the supply teacher/other supply staff member, or redeploy them to another part of the school, whilst an investigation is carried out.

In such circumstances we expect the agency to be fully involved and to co-operate in any enquiries from the LADO, police and/or children’s social services. We will usually take the lead because agencies do not have direct access to children or other school staff, so they will not be able to collect the facts when the allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process. Supply teachers/other supply staff members whilst not employed by our school, are under the supervision, direction and control of our governing body or proprietor when working in our school/ They will be advised to contact their trade union representative if they have one, or a colleague for support. The allegation management meeting or strategy discussion which is often arranged by the LADO should address issues such as information sharing, to ensure that any previous concerns or allegations known to the agency are considered by our school during the investigation.

When using an agency, our school will inform the agency of our process for managing allegations. This will include inviting the agency’s human resource manager or equivalent to meetings and keeping them up to date with information about our policies

**5.** **Suitability**

**5.1 Allegations against Staff in their Personal Lives**

If an allegation or concern arises about a member of staff, outside of their work with children, and this may present a risk of harm to child/ren for whom the member of staff is responsible; or the behaviour suggests that the individual may be unsuitable to work with children and young people, the general principles outlined in these procedures will still apply. The threshold of harm as in [**Section 1, Overview**](http://wirrallscb.proceduresonline.com/chapters/p_man_alleg_vol.html#overview) applies.

The strategy meeting/discussion should decide whether the concern justifies:

* Approaching the member of staff's employer for further information, in order to assess the level of risk of harm; and / or
* Inviting the employer to a further strategy meeting / discussion about dealing with the possible risk of harm;
* Seeking a risk assessment from the member of staff’s employer to ensure that appropriate safeguards are implemented.

If the member of staff lives in a different authority area to that which covers their workplace, liaison should take place between the relevant agencies in both areas and a joint strategy meeting/discussion convened.

In some cases, an allegation of abuse against someone closely associated with a member of staff, (e.g. partner, member of the family or other household member), may present a risk of harm to child/ren for whom the member of staff is responsible. In these circumstances, a strategy meeting/discussion should be convened to consider:

* The ability and/or willingness of the member of staff to adequately protect the child/ren;
* Whether measures need to be put in place to ensure their protection;
* Whether the role of the member of staff is compromised.

**5.2 Disciplinary Action and Investigations**

The employer must not undertake any investigation into the allegation until it has been confirmed by the LADO that the police will not be leading with their enquiries. This is to ensure that no criminal investigation is undermined and the employer is not placing the criminal investigation at risk of being compromised.

It is important to note that, in cases where there is insufficient evidence to support a Police prosecution, this does not mean that action cannot be taken to protect a child with regard to the professionals position of trust.

The LADO and the Designated Senior Manager should discuss whether disciplinary action is appropriate in all cases where:

* It is clear at the outset or decided by a strategy meeting/discussion that a police investigation or LA Children's Specialist Services enquiry is not necessary; or
* The member of staff has admitted the guilt or crime to a level of which is sufficient enough for any disciplinary action to proceed without any further investigation which may undermine a criminal case; or
* The employer or LADO is informed by the police or the Crown Prosecution Service that a criminal investigation and any subsequent trial is complete, or that an investigation is to be closed without charge, or a prosecution discontinued.

The discussion should consider any potential misconduct or gross misconduct on the part of the member of staff, and take into account:

* Information provided by the police and/or LA Children's Specialist Services;
* The result of any investigation or trial;
* The different standard of proof in disciplinary and criminal proceedings.

In all cases of any misconduct or disciplinary action, advice and guidance will be provided by the employer’s Human Resources Supplier who will take advice from the LADO and/or police with regard to the scope of any investigation and if it may impact upon any criminal enquiries. Schools should also seek guidance from the LA Consultant Headteacher.

In the case of supply, contract and volunteer workers, normal disciplinary procedures may not apply. In these circumstances, the LADO and employer should act jointly with the providing agency, if any, in deciding whether to continue to use the person's services, or provide future work with children, and if not, whether to make a report for consideration of barring or other action. See [**Substantiated allegations and referral to the DBS**](http://www.londoncp.co.uk/chapters/alleg_staff.html#substans_alleg).

If formal disciplinary action is not required, the employer should institute appropriate action within three working days. If a disciplinary hearing is required, and further investigation is not required, it should be held within 15 working days.

If further investigation is needed, to decide upon disciplinary action, the employer, the HR Supplier and LADO should discuss whether the employer has appropriate resources or whether the employer should commission an independent investigation because of the nature and/or complexity of the case and in order to ensure objectivity. The investigation should not be conducted by a relative or friend of the member of staff.

The aim of an investigation is to obtain, as far as possible, a fair, balanced and accurate record in order to consider the appropriateness of disciplinary action and/or the individual's suitability to continue to work with children.

During the employer investigation, it is important that the employer allocates a designated individual to ensure the professional subject to the allegation remains updated regarding the investigation.

If, at any stage, new information emerges that requires a child protection referral, this should be completed without delay and the investigation should be held in abeyance and only resumed if agreed with LA Children's Specialist Services and the Police. Consideration should again be given as to whether suspension is appropriate in light of the new information.

The investigating officer should aim to provide a report within ten working days.

On receipt of the report the employer should decide, within two working days, whether a disciplinary hearing is needed. If a hearing is required, it should be held within 15 working days.

Upon the conclusion of the employer investigation, the LADO 2 Closure Form must be returned to the LADO within one working day of the investigation being concluded.

**6.** **Sharing Information for Disciplinary Purposes**

Wherever possible, Police and LA Children's Specialist Services should, during the course of their investigations and enquiries, obtain consent to provide the employer and/or regulatory body with statements and evidence for disciplinary purposes.

If the police or CPS decide not to charge, or decide to administer a caution, or the person is acquitted, the police should pass all relevant information to the employer without delay.

If the person is convicted, acquitted or the police are not continuing with their investigation, the police should inform the employer and the LADO straight away so that appropriate action can be taken. This information should be shared by the police officer in charge of the investigation submitting the LADO 3 Police Closures Form within one working day of the case being concluded.

**7.** **Record Keeping and Monitoring of Cases**

**7.1 Record Keeping**

Employers should keep a clear and comprehensive summary of the case record on a person's confidential personnel file and give a copy to the individual. The record should include details of how the allegation was followed up and resolved, the decisions reached and the action taken. It should be kept at least until the person reaches normal retirement age or for ten years if longer. Care should be taken regarding sharing third party information, which should only be shared with consent.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has moved on. It will provide clarification where a future DBS request reveals non convicted information, and will help to prevent unnecessary reinvestigation if an allegation re-surfaces after a period of time. In this sense it may serve as a protector to the individual themselves, as well as in cases where substantiated allegations need to be known about to safeguard future children.

Details of allegations that are found to be malicious should be removed from personnel records. For education services see the DfE statutory guidance [**Dealing with Allegations of Abuse Against Teachers and Other Staff**](https://www.gov.uk/government/publications/dealing-with-allegations-of-abuse) which was updated and published for implementation October 1st 2012.

**7.2 Monitoring Progress of Cases**

The LADO should monitor and record the progress of each case, either fortnightly or monthly, depending on its complexity. This could be by way of review strategy meetings/discussions/initial evaluations or direct liaison with the Police, LA Children's Specialist Services, or employer as appropriate. **Each agency is responsible for ensuring the LADO is kept up to date on at least a monthly basis** as to their agencies progress with the case, what their agency has planned and what timescales have been set. It may also be appropriate for agencies to update the LADO on a more frequent basis than this when specific incidents, progress or outcomes are reached. Where the target timescales cannot be met, the LADO should be made aware of this and record the reasons.

The LADO should keep comprehensive records in order to ensure that each case is being dealt with expeditiously and that there are no undue delays. The records will also assist the WSCB to monitor and evaluate the effectiveness of the procedures for Managing Allegations and provide statistical information to the [**Department for Education (DfE)**](https://www.gov.uk/government/organisations/department-for-education) as required.

If a police investigation is to be conducted, at the outset, the police must set a date for reviewing its progress and consulting the CPS about continuing or closing the investigation or charging the individual. Wherever possible, this should be no later than four weeks after the strategy meeting/discussion initial evaluation. Dates for further reviews should also be agreed, either fortnightly or monthly depending on the complexity of the investigation.

**8.** **Outcomes and Referral to DBS**

**Unsubstantiated and Unfounded Allegations**

Where it is concluded that there is insufficient evidence to substantiate an allegation, the LADO must be informed of this decision within 24 hours. The LADO will share with the Designated Senior Manager of the employee to enable them to consider what further action, if any, should be taken.

Malicious allegations are extremely rare and may be a strong indicator of abuse elsewhere which requires further exploration. If an allegation is demonstrably unfounded or malicious, the employer, in consultation with the LADO, should consider referring the matter to LA Children's Specialist Services to determine whether the child is in need of services, or might have been abused by someone else. If it is established that an allegation has been deliberately invented, the police should be asked to consider what action may be appropriate.

**Founded Allegations**

The [**Disclosure and Barring Service (DBS)**](http://trixresources.proceduresonline.com/nat_key/keywords/dis_barring_service.html) was established under the Protection of Freedoms Act 2012 and merges the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA). The relevant legislation is set out in the [**Protection of Freedoms Act 2012**](http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted).

If an allegation is founded and the person is dismissed or the employer ceases to use the person's service or the person resigns or otherwise ceases to provide his/her services, the employer must make a referral to the Disclosure and Barring Service (DBS).

When a referral is to be made; it must be submitted within one month of the allegation being substantiated.

**Substantiated Allegations and Referral to the DBS**

**Bodies with a Legal Duty to Refer**

The following groups have **a legal duty** to refer information to the DBS:

* Regulated activity suppliers (employers and volunteer managers);
* Personnel suppliers;
* Groups with a power to refer.

**Bodies with the Power to Refer**

The following groups have a power to refer information to the DBS:

* Local authorities (safeguarding role);
* Health and Social Care (HSC) trusts (NI);
* Education and Library Boards;
* Keepers of registers e.g. [**General Medical Council**](http://www.gmc-uk.org/), [**Nursing and Midwifery Council**](http://www.nmc-uk.org/);
* Supervisory authorities e.g. [**Care Quality Commission**](http://www.cqc.org.uk/) / [**Ofsted**](https://www.gov.uk/government/organisations/ofsted).

If the person being referred to the DBS is a teacher in England they should also be referred to the [**National College for Teaching and Leadership**](http://webarchive.nationalarchives.gov.uk/20140719134807/https:/www.nationalcollege.org.uk/signin?indexidol=no&url=http%3a//www.nationalcollege.org.uk/index). This is part of the Department for Education, responsible for the regulation of teachers in respect of serious misconduct.

**9.** **Learning**

The employer and the LADO should review the circumstances of the case to determine whether there are any improvements to be made to the organisation's procedures or practice to reduce the risk of the abuse happening again.

**Procedures in Specific Organisations**

It is recognised that many organisations will have their own procedures in place, some of which may need to take into account particular regulations and guidance (e.g. schools and registered child care providers). Where organisations do have specific procedures, they will not replace this statutory multi agency procedure, should be compatible with these procedures and additionally provide the contact details for:

* The Designated Senior Manager to whom all allegations should be reported;
* The person to whom all allegations should be reported in the absence of the designated senior manager or where that person is the subject of the allegation;
* Sources of support for the professional subject to the allegation;
* The LADO.

**10.** **Confidentiality and Support**

**Confidentiality**

Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered. Apart from keeping the child, parents and accused person (where this would not place the child at further risk) up to date with progress of the case, information should be restricted to those who have a need to know in order to protect children, facilitate enquiries, manage related disciplinary or suitability processes.

The police should not provide identifying information to the press or media, unless and until a person is charged, except in exceptional circumstances (e.g. an appeal to trace a suspect). In such cases, the reasons should be documented and partner agencies consulted beforehand.

[**Section 13 of the Education Act 2011**](http://www.legislation.gov.uk/ukpga/2011/21/section/13/enacted) introduces new restrictions implemented in September 2012 on the publication of any information that would identify a teacher who is the subject of an allegation of misconduct that would constitute a criminal offence, where the alleged victim of the offence is a registered pupil at the school.

Such restrictions remain in place unless or until the teacher is charged with a criminal offence, though they may be dispensed with on the application to the Magistrates’ Court by any person, if the court is satisfied that it is in the interests of justice to do so, having regard to the welfare of –

1. The person who is the subject of the allegation; and
2. The victim of the offence to which the allegation relates.

There is a right of appeal to the Crown Court.

This restriction will apply to allegations made against any teacher who works at a school, including supply and peripatetic teachers. ‘School’ includes academies, Free Schools, independent schools and all types of maintained schools.

There is a new offence of publishing any information in breach of these restrictions. Publication includes any communication, in whatever form, which is addressed to the public at large or any section of the public.

It is a defence to show that the person publishing was not aware of the allegation having been made as set out in section141H ‘*Defences*’ of the Act.

**Support**

The organisation, together with LA Children's Specialist Services and/or police, where they are involved, should consider the impact on the child concerned and provide support as appropriate. Liaison between the agencies should take place in order to ensure that the child's needs are addressed.

As soon as possible after an allegation has been received, the accused member of staff should be advised by their employer to contact their union or professional association. Human Resources should be consulted at the earliest opportunity in order that appropriate support can be provided via the organisation's occupational health or employee welfare arrangements.

It is the employer’s responsibility to ensure that their employee is kept updated regarding the progress of any investigation. During the investigation, it is important that the employer allocates a designated individual to ensure the professional subject to the allegation remains updated regarding the investigation.

**11.** **Suspension**

Suspension is a neutral act and it should not be automatic. It should be considered in any case where:

* There is cause to suspect a child is suffering or likely to suffer [**Harm**](http://trixresources.proceduresonline.com/nat_key/keywords/a_harm.html); or
* The allegation warrants investigation by the police; or
* The allegation is so serious that it might be grounds for dismissal.

The possible risk of harm to children is paramount and should be evaluated and managed in respect of the child/ren involved and any other children in the accused member of staff's home, work or community life.

If a strategy meeting/discussion is to be held or if LA Children's Services or the Police are to make enquiries, the LADO should canvass their views on suspension and inform the employer. This decision will be reached by evaluating the nature of the allegation and if the professional can continue to work within the setting with limited contact to children and young people. Only the employer, however, has the power to suspend an accused employee, but should take into careful consideration the opinions of those involved in the investigation.

If a suspended person is to return to work, the employer should consider what help and support might be appropriate (e.g. a phased return to work and/or provision of a mentor), and also how best to manage the member of staff's contact with the child concerned, if still in the workplace.

**12.** **Resignations and Compromise Agreements**

A conclusion must be reached in all cases even if:

* The professional refuses to cooperate, having been given a full opportunity to answer the allegation and make representations;
* The individual resigns from their position of trust;
* It may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete.

Compromise agreements' must not be used (i.e. where a member of staff agrees to resign provided that disciplinary action is not taken and that a future reference is agreed).

**13.** **Organised and Historical Abuse**

Investigators should be alert to signs of organised or widespread abuse and/or the involvement of other perpetrators or institutions. They should consider whether the matter should be dealt with in accordance with complex abuse procedures which, if applicable, will take priority.

Historical allegations should be responded to in the same way as contemporary concerns. It will be important to ascertain if the person is currently working with children and if that is the case, to consider whether the current employer should be informed.

**14.** **Whistle-blowing**

All staff and young people should be made aware of their organisation's whistle-blowing policy and feel confident to voice concerns about the attitude or actions of colleagues.

If a member of staff believes that a reported allegation or concern is not being dealt with appropriately by their organisation, they should report the matter to the LADO.

**15.** **Flowchart for Management of Allegations and Timescales**

It is in everyone's interest for cases to be dealt with expeditiously, fairly and thoroughly and for unnecessary delays to be avoided. The target timescales provided in the **flowchart** of the *Wirral Managing Allegations against Professionals who work with Children Procedures* are realistic in most cases, but some cases will take longer because of their specific nature or complexity.

[**Click here to view the Allegations / Concerns Against Staff Disciplinary / Suitability Process Flowchart**](http://wirrallscb.proceduresonline.com/pdfs/alleg_staff_process.pdf).

**ALLEGATIONS AGAINST AN ADULT WHO WORKS WITH CHILDREN**

**LADO CONSULTATION FORM TO REVIEW THRESHOLD**

|  |  |  |  |
| --- | --- | --- | --- |
| **DATE THE ALLEGED INCIDENT OCCURRED** |  | **DATE THE ALLEGED INCIDENT WAS REFERRED TO LADO** |  |
| **LADO THRESHOLD MET** |  | **DATE LADO REFERRAL FORM REQUESTED** |  |

1. **ADULT AGAINST WHOM THE ALLEGATION HAS BEEN MADE:**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **NAME** |  | | | | |
| **DOB or approx. age** |  | **GENDER** |  | **ETHNICITY** |  |
| **JOB TITLE** |  | | | | |
| **EMPLOYER** |  | | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **HOW LONG HAS THE ADULT BEEN EMPLOYED BY THE ORGANISATION?** |  | **IF THE ADULT IS A CARER, NAME AND DETAILS OF SSW** |  |

**2. CHILD’S DETAILS:**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NAME** |  | | | | | | | |
| **DATE OF BIRTH** |  | | **GENDER** |  | | **ETHNICITY** | |  |
| **CURRENT ADDRESS**  **(inc post code)** |  | | | | | | | |
| **CONTACT DETAILS** | **TEL** |  | | | **EMAIL** | |  | |

**3. REFERRER:**

|  |  |
| --- | --- |
| **NAME** |  |
| **JOB TITLE** |  |
| **ORGANISATION** |  |
| **CONTACT DETAILS**  **(incl. Address, E-Mail & Telephone number)** |  |

**4. ALLEGATION DETAILS:**

***Please provide a factual detailed chronology about the allegation. This should include: who has reported the allegation; where and when it occurred; who has witnessed (*potentially witnessed*) the incident; and what has been alleged. If the person’s behaviour relates to their behaviour outside of their workplace, please state where the alleged behaviour occurred. Any previous issues or concerns should also be identified and recorded here.***

|  |
| --- |
|  |

**5. CHILD WITNESSES OR WITHIN THE SAME SETTING:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **NAME** | **DOB** | **RELATIONSHIP TO VICTIM OR ACCUSED** | **PARENTS/ CARERS/ SOCIAL WORKER NAME** | **CONTACT DETAILS** |
|  |  |  |  |  |
|  |  |  |  |  |

**6. INTERIM SAFEGUARDING MEASURES AND NEXT STEPS AGREED:**

**7. DOES THE ACCUSED PERSON HAVE CONTACT WITH CHILDREN OUTSIDE THE WORKPLACE/VOLUNTARY ORGANISATION?:**

|  |  |  |
| --- | --- | --- |
| **NAME OF ORGANISATION** | **JOB TITLE IN ORGANISATION** | **ORGANISATION’S CONTACT DETAILS** |
|  |  |  |

**8. DOES THE ACCUSED PERSON HAVE THEIR OWN CHILDREN AND/OR SIGNIFICANT CARE RESPONSIBILITIES FOR CHILDREN WITHIN FRIENDS AND FAMILY NETWORKS?**

|  |  |  |  |
| --- | --- | --- | --- |
| **CHILD’S NAME** | **DOB *(approx age if DOB not known)*** | **RELATIONSHIP TO ACCUSED PERSON** | **PARENT’S NAME ADDRESS AND TEL** |
|  |  |  |  |
|  |  |  |  |

**ALLEGATIONS AGAINST AN ADULT WHO WORKS WITH CHILDREN**

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**REFERRAL FORM**

To be completed by the Senior Manager (or other designated person to provide the information) of the employing agency for the adult concerned. To be emailed directly to the Children’s Safeguarding Unit within 24 hrs of the allegation being made. ***Form should be completed in detail, all yellow sections are mandatory.***

|  |  |
| --- | --- |
| **DATE ALLEGED INCIDENT HAPPENED** |  |
| **DATE ALLEGATION RECEIVED BY REFERRING AGENCY** |  |
| **DATE ALLEGED INCIDENT REFERRED TO CHILDREN’S SAFEGUARDING UNIT** |  |

**1. ADULT AGAINST WHOM THE ALLEGATION HAS BEEN MADE**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NAME** |  | | | | | | | | | | | | | | | | | |
| **DOB** |  | | | | | **GENDER** | |  | | | | **ETHNICITY** | | | | |  | |
| **HOME**  **ADDRESS** |  | | | | | | | | | | | | | | | | | |
| **CONTACT DETAILS** | **TEL:** | | |  | | | | | | **EMAIL:** | |  | | | | | | |
| **JOB TITLE** |  | | | | | | | | | | | | | | | | | |
| **EMPLOYER** |  | | | | | | | | | | | | | | | | | |
| **EMPLOYER ADDRESS &CONTACT DETAILS** |  | | | | | | | | | | | | | | | | | |
| **TEL:** | | |  | | | | | | **EMAIL:** | |  | | | | | | |
| **EMPLOYING AGENCY OF THE ADULT CONCERNED (WHERE ALLEGATION/INCIDENT OCCURRED)** | | | | | | | | | | | | | | | | | | |
| **SOCIAL CARE** | |  | **HEALTH** | |  | | **EDUCATION** | |  | | **CONNEXIONS** | | | |  | **FOSTER CARERS** | |  |
| **POLICE** | |  | **YOT** | |  | | **PROBATION** | |  | | **CAFCASS** | | | |  | **SECURE ESTATE** | |  |
| **FAITH GROUP** | |  | **NSPCC** | |  | | **ASYLUM/IMMIGRATION** | | | | |  | **VOLUNTARY YOUTH ORG.** | | | | |  |
| **ARMED FORCES** | |  | **OTHER** | |  | | **IF OTHER OR VOL. YOUTH ORG. PLEASE STATE WHICH** | | | | | | |  | | | | |

**2. HAVE THERE BEEN ANY PREVIOUS ALLEGATIONS AGAINST THE ADULT?: YES/NO**

|  |
| --- |
| **If YES please provide details including dates and any previous referrals to the Children’s Safeguarding Unit:** |

**3. REFERRER**

|  |  |
| --- | --- |
| **NAME** |  |
| **JOB TITLE** |  |
| **ORGANISATION** |  |
| **CONTACT DETAILS**  **(incl. Address, E-Mail & Telephone number)** |  |

**4. SENIOR MANAGER**

|  |
| --- |
| **IS THE SENIOR MANAGER OF EMPLOYING AGENCY OF THE ADULT CONCERNED AWARE OF THE ALLEGATION?** |
| **If no, please give reason why not:** |

**5. CHILD’S DETAILS**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NAME** |  | | | | | | | |
| **DATE OF BIRTH** |  | | **GENDER** |  | | **ETHNICITY** | |  |
| **CURRENT ADDRESS**  **(inc. post code)** |  | | | | | | | |
| **CONTACT DETAILS** | **TEL** |  | | | **EMAIL** | |  | |
| **PARENTS/CARERS** |  | | | | | | | |
| **PARENTS/CARERS ADDRESS**  **(inc. post code)** |  | | | | | | | |
| **CONTACT DETAILS** | **TEL** |  | | | **EMAIL** | |  | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **DOES THE CHILD HAVE ANY COMMUNICATION NEEDS?**  **If so please state what:** | | | | | | | | | | | | | | | | | | | |
| **IS THE CHILD KNOWN TO CHILDREN’S SOCIAL CARE?** | | | | | | | | |  | | | | **ICS ID NO.** | | | |  | | |
| **IF YES PLEASE INDICATE IN WHAT CAPACITY (Please tick):** | | | | | | | | | | | | | | | | | | | |
| **FAMILY SUPPORT** |  | | | **CHILD PROTECTION PLAN** | | | | |  | | **LOOKED AFTER CHILD (see below also)** | | | | | | |  | |
| **LEGAL STATUS IF LOOKED AFTER CHILD(Please tick):** | | | | | | | | | | | | | | | | | | | |
| **S.20 ACCOMMODATION** | |  | **INTERIM CARE ORDER** | | | |  | **CARE ORDER** |  | **PLACEMENT ORDER** | | | | |  | **SPECIAL GUARDIANSHIP** | | |  |
| **CHILD’S SOCIAL WORKER** | | | | |  | | | | | | | | | | | | | | |
| **CONTACT DETAILS** | | | | | **TEL** |  | | | | | | **EMAIL** | |  | | | | | |
| **HAS THE CHILD’S SOCIAL WORKER BEEN INFORMED?**  **If not please give reasons why not:** | | | | | | | | | | | | | | | | | | | |

**6. ARE THERE ANY OTHER CHILDREN INVOLVED IN THE ALLEGATION?**

**(Please provide details below)**

|  |  |  |  |
| --- | --- | --- | --- |
| **NAME & ICS No.** | **DATE OF BIRTH** | **ADDRESS & CONTACT DETAILS** | **PARENTS (Inc. address & contact details if different from child)** |
|  |  |  |  |
|  |  |  |  |

**7. DOES THE ADULT CONCERNED HAVE CONTACT WITH ANY OTHER CHILDREN? YES/NO (Including their own children, grandchildren or via extended family networks/friends/youth groups/other employment etc)**

|  |  |  |  |
| --- | --- | --- | --- |
| **NAME** | **DATE OF BIRTH** | **RELATIONSHIP TO ADULT CONCERNED** | **ADDRESS & CONTACT DETAILS** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**8. NATURE AND DETAILS OF ALLEGATION**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Please indicate the nature of the allegation (Please tick):** | | | | | | | | |
| **PHYSICAL** |  | **SEXUAL** |  | **EMOTIONAL** |  | **NEGLECT** | |  |
| **DOES THE ALLEGATION INVOLVE THE USE OF COMMUNICATIONS TECHNOLOGY?** | | | | | | |  | |
| **IF YES PLEASE INDICATE THE FORM OF COMMUNICATION USED:**  ***ie. mobile phone imagery, text, social networking site, internet etc.*** | | | | | | | | |

|  |
| --- |
| **PLEASE PROVIDE FACTUAL DETAILED INFORMATION ABOUT WHAT HAS BEEN SEEN OR HEARD AND BY WHOM:** |

**9. DISCUSSIONS AND ACTIONS**

|  |
| --- |
| **RECORD OF DISCUSSION AND ACTIONS** (To be completed by Children’s Safeguarding Unit) |

**10. DECISION (To be completed by Children’s Safeguarding Unit)**

|  |  |
| --- | --- |
| **DOES THIS MATTER MEET THE CRITERIA FOR INVESTIGATION UNDER LADO PROCEDURES IN APPENDIX 5 OF WORKING TOGETHER (2006)?** | **YES/NO** |
| **ARE ENQUIRIES BEING MADE UNDER S.47 OF THE CHILDREN ACT (1989)?** | **YES/NO** |
| **STRATEGY MEETING TO BE CONVENED** | **YES/NO** |
| **STRATEGY DISCUSSION ONLY (PLEASE TICK)** |  |

**11. ANY OTHER RELEVANT INFORMATION PROVIDED / REQUIRED**

|  |
| --- |
|  |

**12. MEMBER OF STAFF FROM CHILDREN’S SAFEGUARDING UNIT RECEIVING AND RECORDING INFORMATION**

|  |  |  |  |
| --- | --- | --- | --- |
| **MEMBER OF STAFF RECEIVING INFORMATION** |  | **DATE:** |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **MEMBER OF STAFF COMPLETING THIS FORM** |  | **DATE:** |  |

***Please return the form, preferable via email to:***

[Anneking1@wirral.gov.uk](mailto:Anneking1@wirral.gov.uk) and [kerrywilliams@wirral.gov.uk](mailto:kerrywilliams@wirral.gov.uk)

FAO: LADO

Wirral Safeguarding Childrens Partnership

 0151 666 4442/5525

**ALLEGATIONS AGAINST AN ADULT WHO WORKS WITH CHILDREN**

**LADO CLOSURE FORM**

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**REFERRAL FORM 2**

To be completed by the Senior Manager (or other designated person to provide the information) of the employing agency for the adult concerned. To be emailed directly to the Children’s Safeguarding Unit within 24 hrs of the investigation being completed.

***Forms should be completed in detail, sections 1 – 12 are mandatory.***

***Once all required sections are completed, please email the form to the following address:*** [**anneking1@wirral.gov.uk**](mailto:anneking1@wirral.gov.uk) **and** [**kerrywilliams@wirral.gov.uk**](mailto:kerrywilliams@wirral.gov.uk) ***with the professional’s name that is subject to the allegation in the email subject line.***

1. **ADULT AGAINST WHOM THE ALLEGATION HAS BEEN MADE**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NAME** |  | | | | | | | |
| **DOB** |  | | | **GENDER** |  | | **ETHNICITY** |  |
| **HOME**  **ADDRESS** |  | | | | | | | |
| **CONTACT DETAILS** | **TEL:** | |  | | | **EMAIL:** |  | |
| **JOB TITLE** |  | | | | | | | |
| **EMPLOYER** |  | | | | | | | |
| **EMPLOYER ADDRESS &CONTACT DETAILS** |  | | | | | | | |
| **TEL:** |  | | | | **EMAIL:** |  | |

1. **Actions Agreed to be undertaken to investigate allegations as agreed by Wirral Children’s Safeguarding Team or the Police**

|  |  |  |
| --- | --- | --- |
| **ACTIONS** |  |  |
| **Date Actions Agreed;** | **By Whom** | **By When** |
|  |  |  |

**Attendance at Review**

**Date Review Held ;**

|  |  |  |
| --- | --- | --- |
| **Name** | **Role** | **Agency** |
|  |  |  |
|  |  |  |
|  |  |  |

**Findings**

|  |
| --- |
| **HAVE THERE BEEN *ANY* PREVIOUS COMPLAINTS, CONCERNS OR ALLEGATIONS AGAINST THE ADULT?:** |
|  |

|  |
| --- |
| **3. METHODOLOGY (*include for example individuals interviewed, their role, by whom, when, what they have said or any records examined etc. If you are providing copies of statements, please return with this email and advise below)*** |
|  |
| **INFORMATION OBTAINED** |
|  |

|  |  |  |  |
| --- | --- | --- | --- |
| **ANALYSIS**  ***Based on the above information above*** | | | |
| **Allegation**  *Original allegations made or additional concerns highlighted during investigation* | **Conclusion**  *Establish facts regarding the event.* | **Context and Impact**  *Define impact on the child, factors affecting your view as to the seriousness of the incident or any mitigation impacting on the incident occurring*  *Provide evidence and Judgement (malicious, unsubstantiated, substantiated)* | **Agreed Action**  *Based upon the findings, its context and impact, recommended action to take.*  *Including organisational learning recommendations and whether it requires going to Fostering Panel* |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
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***Once all required sections are completed, please email the form to the following address and mark it for the attention of the LADO with the professional’s name who is subject to the allegation in the email subject line:*** [**anneking1@wirral.gov.uk**](mailto:anneking1@wirral.gov.uk) **and** [**kerrywilliams@wirral.gov.uk**](mailto:kerrywilliams@wirral.gov.uk)

**Activity Reporting**

1. **Person investigated**

**Male**

**Female**

**Age**

**Type of professional**

**Agency**

**B) Alleged Victim**

**Male**

**Female**

**Age**

**Is there more than one victim, total number ;**

**C) Investigation**

**Date of concern received;**

**Date discussed with LADO;**

**Date Review held;**

**Type of allegation**

**Findings;**

**Outcome;**

**ALLEGATIONS AGAINST AN ADULT WHO WORKS WITH CHILDREN**

**LADO - Police CLOSURE FORM**

STRICTLY CONFIDENTIAL

THE CONTENTS OF THIS REPORT ARE NOT TO BE REPRODUCED, COPIED OR DIVULGED IN ANY WAY. INFORMATION IS NOT TO BE DISCUSSED WITH, OR REVEALED TO, PERSONS WHO ARE NOT REQUIRED IN THE INTERESTS OF A CHILD TO HAVE SUCH INFORMATION. ALL ENQUIRIES FOR THE USE OF ANY SUCH INFORMATION SHOULD BE MADE TO THE LOCAL AUTHORITY DESIGNATED OFFICER ON 0151 666 4442

To be completed by the Officer in Charge (or other designated person to provide the information) of the employing agency for the adult concerned. This form will be used to inform the HR investigation which will consider if the individual is suitable to remain in a position of trust with children and young people. This form should be emailed directly within 24 hrs of the investigation being completed. ***Forms should be completed in detail.***

***Once all required sections are completed, please email the form to the following address:*** [**anneking1@wirral.gov.uk/kerrywilliams@wirral.gov.uk**](mailto:anneking1@wirral.gov.uk/kerrywilliams@wirral.gov.uk) ***with the professional’s name that is subject to the allegation in the email subject line.***

1. **ADULT AGAINST WHOM THE ALLEGATION HAS BEEN MADE**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **NAME** |  | | | | |
| **DOB** |  | **GENDER** |  | **ETHNICITY** |  |
| **HOME**  **ADDRESS** |  | | | | |
| **2. Investigation outcome *(including decision maker)*** | | | | | |
| **3. ADDITIONAL SAFEGAURDING INFORMATION *(please use this section to provide any further information you feel will enable the WSCB to safeguard children)*** | | | | | |

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**Stage 1 - ALLEGATIONS/CONCERNS REGARDING STAFF AND VOLUNTEERS WHO WORK WITH CHILDREN AND YOUNG PEOPLE**

Allegations/concerns identified in organisation to be reported to Designated Senior Manager

Consultation between LADO and Designated Senior Manager

Manager completes Allegation Referral Form within ***24 hours***

0151 666 4442/5525

Allegation is

demonstrably false

Allegation is a possible disciplinary matter

Child suffering or at risk of suffering harm

* Consider need for LADO Professionals Meeting
* Share information
* Decide action
* Consider suspension

LADO refers to social care

for strategy discussion

Local Authority Designated Officer (LADO) to be informed within ***24hours*** if alleged behaviour:

* harmed a child, or may have
* is a possible criminal offence
* towards child/ren indicates unsuitability to work with children
* behaved or may have behaved in a way that indicates they may not be suitable to work with children

0151 666 4442/5525

No Social Care or Police Investigation

Social care and/or police investigation

No further action, but consider referral to:

* social care as ‘child in need’
* police, if allegation deliberately invented

Allegation/concern made direct

to Police or Social Care

No harm, but allegation might constitute a criminal offence

LADO refers to police

for initial evaluation

Work with employer to consider:

* No further action
* Professional advice
* Disciplinary process (see overleaf)
* Employer completes and returns LADO2 form within 15 working days

After completion *(earlier if agreed with social care and police)*

Police/social care provide relevant information to employer and LADO

(0151 666 4442/5525)

LADO & Employer consider appropriate internal action

No formal disciplinary action needed

Formal Disciplinary Action decided

No Further Action

Professional Advice

*within 3*

*working*

*days*

Further investigation needed

Investigation

and report

*within 10 working days*

No further investigation needed

Disciplinary hearing

*Decide within 2 working days*

*If yes, hold within 15 working days*

Professional Advice

Formal warning

Cease to use services

Identify internal

investigator

*without delay*

Police/Children’s Social Care enquiries discontinued

Consult supply agency or contractor if appropriate

Conviction or Acquittal at Court

No Police or Children’s Social Care enquiries

No further Action

Consider reporting to DBS and/or regulatory body w*ithin 1 month*

**Stage 2 - ALLEGATIONS/CONCERNS AGAINST STAFF AND VOLUNTEERS -**

**DISCIPLINARY/SUITABILITY PROCESS**

LADO 2 form to close send to LADO within 48hrs of concluding case