

Allegations against Adults who work or volunteer with children in Southwark

The LADO Role and Referral Process

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The LADO Role and Referral Process

Objectives of the session

- To gain a general understanding of the role of the LADO
- To understand the responsibilities of the employer
- Understand how and when to make a referral

What is a LADO?

- LADO stands for Local Authority Designated Officer
- The LADO deals with allegations made against people working and volunteering with children in Southwark
- This can also include allegations in people's private lives which can impact on a person's suitability to work with children
- The role was introduced following the Bichard Inquiry published in 2004

Where is the guidance?

The main guidance is:

- Chapter 2 of Working Together to Safeguard Children
- Chapter 7 of the London Child Protection Procedures
- Part 4 in Keeping Children Safe in Education
- Southwark website

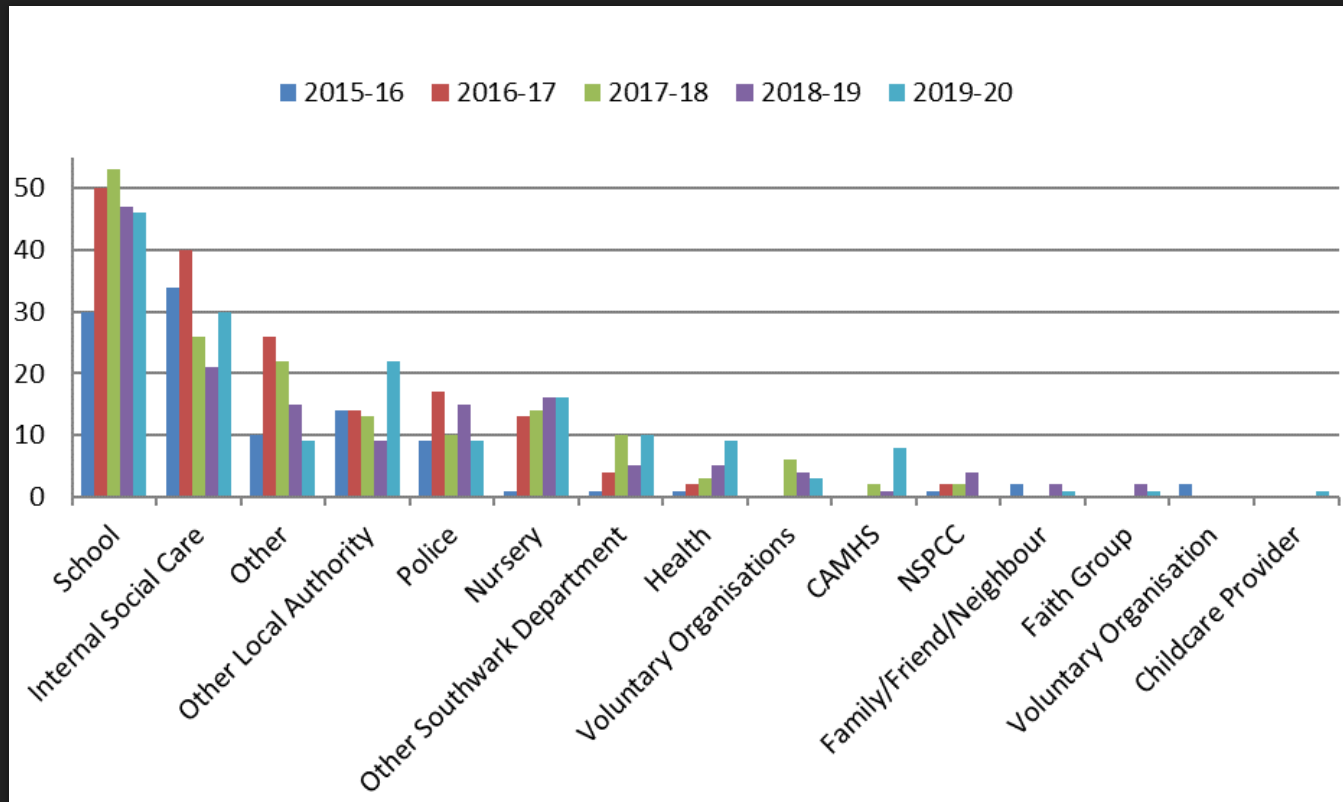
Where do referrals come from?

Referrals come from a variety of different organisations but generally fit into the categories of:

- Schools
- Health Trusts
- Local Authority Departments
- Voluntary Groups
- Private sector such as nurseries and residential care homes

LADO Referrals

Referrals by Source



What is an allegation?

The threshold for a LADO Referral is met if the individual has:

- Behaved in a way that has harmed a child, or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children

What is an allegation?

Allegations can be made in relation to physical chastisement and restraint but can also relate 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);
- 'Grooming', i.e. meeting a child under 16 with intent to commit a relevant offence (see s15 Sexual Offences Act 2003);
- 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.

What is an allegation?

In addition, when there is an allegation that any person who works with children has behaved in a way in their personal life that raises safeguarding concerns:

- These concerns do not have to directly relate to a child but could, for example, include arrest for possession of a weapon;
- As a parent or carer, has become subject to child protection procedures;
- Is closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the member of staff is responsible in their employment/volunteering.

Type of disclosures GP may get

- Historic allegations – an adult making a disclosure about childhood abuse eg. abuse suffered whilst in care
- Remember recent historic abuse from young adults could suggest the person the allegation is about is still working with children
- Parents/carers bringing a child to the GP because they are worried their child is being abused at nursery or school
- If you are working with a patient who works with children
- Worries about colleagues

Initial action by person receiving or identifying an allegation or concern

- The person to whom an allegation or concern is first reported to should treat the matter seriously and keep an open mind.
- They should not:
 - Investigate or ask leading questions;
 - Make assumptions or offer alternative explanations;
 - Promise confidentiality

Initial action by person receiving or identifying an allegation or concern

- They should follow their organisation's procedures, which should include the following:
 - Making 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;
 - Signing and dating the written record;
 - Immediately reporting the matter to the designated safeguarding lead or the deputy in their absence or, where the designated safeguarding lead is the subject of the allegation, report to the deputy or other appropriate senior manager.

The role of the employer

When an allegation is made, the employer should:

- Consult with the LADO for initial advice
- Make initial enquiries to ensure the allegation is not demonstrably false
- Refer to the LADO within 1 working day of becoming aware of the allegation

The role of the employer

When an allegation is made, the employer should:

- Consider suspension or risk assessment
- With agreement from the LADO advise the employee that a safeguarding matter has been raised (but not share the detail)
- Ensure their duty of care to the employee
- Advise parents of children involved that the matter is being looked into

Volunteers

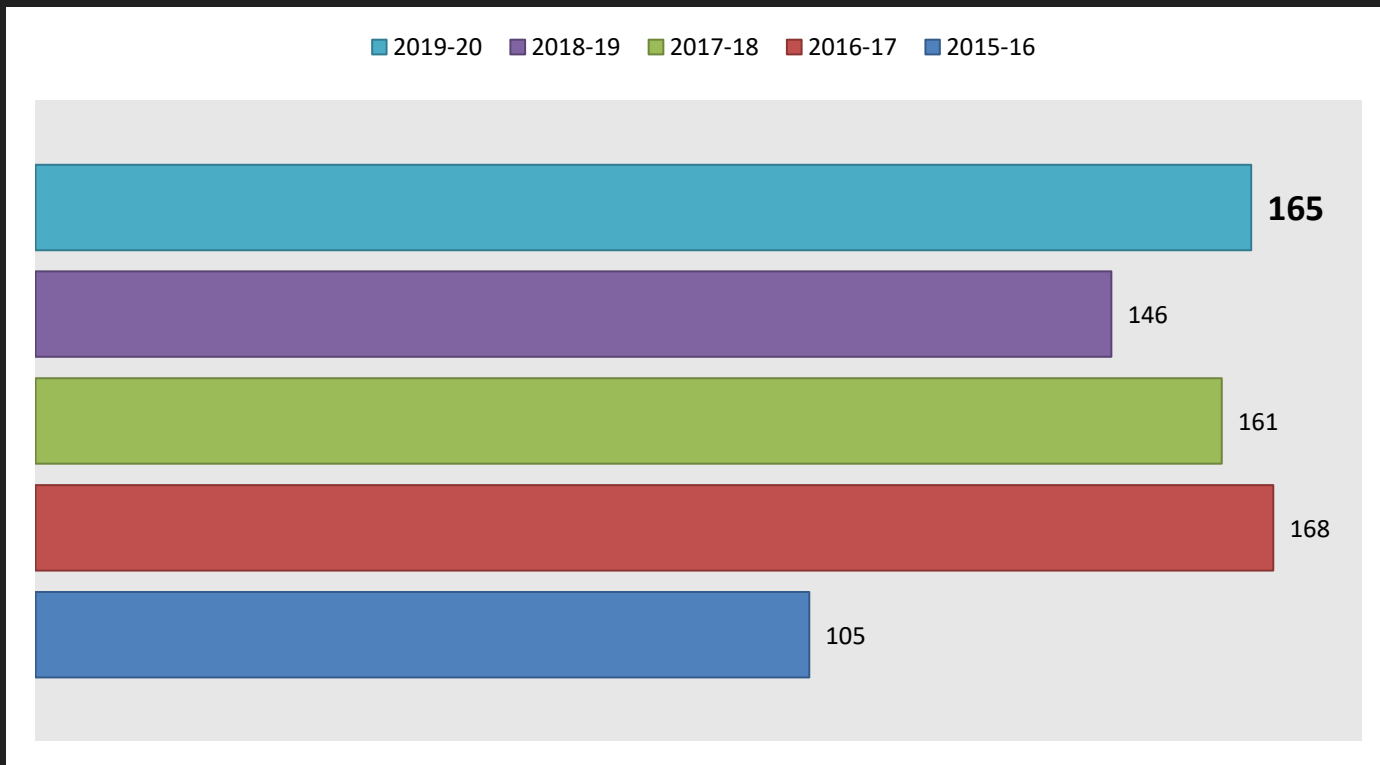
- Volunteers working with children are considered in the same way as paid employees
- If the lead person for the organisation is also a volunteer, that person is seen as the 'employer'

LADO Referrals

- Referrals come to Social Care in different ways
- They can come via the allocated social worker, via MASH or to the LADO directly
- The information is assessed by the LADO who will determine the next actions
- There has been an increase in referrals over the last 5 years...

LADO Referrals

Number of Referrals by Year



LADO Referrals - considering an allegation

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

- Police investigation of a possible criminal offence
- Children's social care enquiries or assessment about whether a child is in need of protection or services
- Consideration of disciplinary action by the employer, in relation to possible performance/conduct issues
- Whether action in regard to the person making the allegation should be considered where the allegation has no foundation and may be malicious

Allegations against staff and volunteers (ASV) Meeting / Discussion

- The ASV is chaired by the LADO
- If an ASV Meeting is convened, relevant people are invited eg. social worker, police officer, employer, HR or OFSTED
- It covers the police investigation, the assessment by children's social care and the employer will consider the need for disciplinary action
- Further review meetings may be required as the process can take a number of months to conclude

Allegations against staff and volunteers (ASV) Meeting / Discussion

The employer's role is to:

- Review personnel file
(DBS, references, any previous complaints, positives)
- Provide information about the child

Timescales

It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation

It is expected that:

- 80 % cases should be resolved within 1 month
- 90 % should be resolved within 3 months
- All but the most exceptional cases should be completed within 12 months

Outcomes following investigation

- Unsubstantiated
- Unfounded
- False
- Malicious
- Substantiated
- Other matters considered: training, risk assessments, learning, DBS referral etc.

Any Questions?



The image features a teal-colored top section with a fine, repeating pattern of diagonal lines. Below this is a solid black section. The word "Quiz" is centered in the black section in a white, sans-serif font.

Quiz

Quiz

1. What does LADO stand for?
2. Where can you find guidance about dealing with staff allegations?
3. What are the three criteria for a LADO referral?
4. Can the LADO consider allegations relating to people's personal life outside of the workplace?
5. Can the LADO suspend an employee pending the outcome of an investigation?

Quiz

6. What is the role of the social worker in the LADO process?
7. A pupil informs a teaching assistant that another teacher has shown her sexually explicit photos on his mobile phone. What should the teaching assistant do?
8. A child tells his social worker that his foster carer made him go to his room without supper. Is this a LADO issue?
9. Does the LADO deal with investigations about employees depending on where they live or where they work?
10. Who decides whether an allegation is substantiated?



Case studies

Case Study 1 - school setting

- Mrs B contacted MASH to say that her 11 year old son Fred came home from school with fingers marks on his forearm
- Fred's ethnicity is noted on the referrals as black British Caribbean
- He told his mother that Mr A the teaching assistant had caused the marks but refused to say anything else
- Mrs B also informed the local Police of the incident
- Mrs B told MASH that she is unhappy with the school for a number of reasons because of the way they manage her son's learning difficulties
- Fred attends a secondary school for children with special educational needs in Southwark
- He is known to Social Care but the case is closed - he's never been subject to a section 47 investigation but an Initial Assessment was completed 12 months ago
- Mosaic has crashed so it is unclear why an Initial Assessment was done
- The Head Teacher has been informed of the referral and has confirmed she was aware that there had been an incident but not the detail
- Mr A has been at the school for 18 months and there have been no previous concerns about his conduct

Case Study 1 - school setting

- What actions would the SW take?
- What actions do you think the LADO needs to take?
- What actions do you think the employer needs to take?
- What do you think the outcomes might be?

Case Study 2 – foster care setting

- Sarah is a 12 year old girl who is the subject of a care order and who was recently placed with permanent long term foster carers Mr and Mrs J
- Sarah's ethnicity is noted as white British
- Sarah's previous foster carer contacted Sarah's Social Worker to inform him that Sarah had rung her saying the new carers are cruel to her - she said Mrs J has smacked her hands, refused to cook her tea and locks her in her bedroom
- Sarah has been looked after for a number of years - she has mild learning difficulties but is in mainstream school
- She became looked after due to long-standing neglect by her birth family
- She sees her mother about every 8 weeks for supervised contact
- Sarah never made any previous allegations about her previous carer but she did once allege that a volunteer at a play centre had deliberately stamped on her foot - that matter was reviewed and was unfounded
- The current carers are new to fostering; they were approved 18 months ago and have had some respite placements before Sarah joined them - they have 2 adult children who are both at university but visit the family home during holiday periods

Case Study 2 – foster care setting

- What actions would the SW take?
- What actions do you think the LADO needs to take?
- What actions do you think the employer needs to take?
- What do you think the outcomes might be?

Case Study 3 – nursery setting

- Ms S works in a local nursery where she is the deputy manager
- The nursery was recently given an adequate report from a routine Ofsted inspection and there has been one previous LADO referral about 12 months ago
- Ms S has 2 daughters, one age 3 who attends the nursery and one who is in Year 1 at a local primary school
- One week ago Ms S children were made the subject of child protection plans in Southwark under the category of emotional abuse
- The nursery manager attended the child protection conference and the chair advised her to discuss the matter with the Early Years Safeguarding Officer who then referred the matter to the delegated LADO
- The main concerns are ongoing domestic violence within the family home and Ms S lack of engagement with relevant agencies
- Mr S regularly collects their daughter from the nursery and occasionally does DIY jobs for the nursery

Case Study 3 – nursery setting

- What actions would the SW take?
- What actions do you think the LADO needs to take?
- What actions do you think the employer needs to take?
- What do you think the outcomes might be?

Case Study 4 – voluntary setting

- Lucy is 14 and currently subject to a child protection plan under the category of neglect
- She is living with extended family members and attending an organisation that works with vulnerable teenagers offering practical and emotional support
- Lucy is described as Black British
- Lucy and her family have been known to Social Care for a number of years and contact with them can be difficult
- Two days ago the manager of a local voluntary organisation that works with teenagers contacted MASH to report a disclosure that Lucy made to staff at the organisation
- She said a male volunteer aged about 30 always puts his hands on her hips, that she feels uncomfortable when he is around and he always seems to ensure he sits next to her or finds opportunities to be alone with her

Case Study 4 – voluntary setting

- What actions would the SW take?
- What actions do you think the LADO needs to take?
- What actions do you think the employer needs to take?
- What do you think the outcomes might be?

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See [Southwark website](#) for referral form and other information