



**ALLEGATIONS AGAINST ADULTS
WHO WORK WITH CHILDREN**

1 April 2019 – 31 March 2020

Report by: Nigel Hatten
Local Authority Designated Officer (LADO)
Sponsored by: Rob England
Head of Quality – GCC

1. Introduction

This report is submitted to the Gloucestershire Safeguarding Children Executive and Board, together with residents of Gloucestershire as an annual record of Allegations Management within Gloucestershire.

The Allegation Management team deal with referrals from all over the county and beyond relating to Gloucestershire adults working with children. This report provides an overview of this activity covering the period 1st April 2019 to 31st March 2020.

The LADO (Local Authority Designated Officer) role and Allegations Management team remain physically co-located with Gloucestershire's Safeguarding Children's Executive. Structurally the team are located within the Safeguarding and Reviewing Service which has offered relevant leadership and resilience. There is one Local Authority Designated Officer (LADO) supported by one Allegation Management Coordinator (this has recently become a job share post, shared between two members of staff).

A half-time additional LADO post has been agreed by senior council managers and an appointment has been made to this post from September 2020.

The current LADO has been in post full-time since September 2018 having previously been a part-time LADO. The previous LADO was in post for a number of years and had a dual role within Education Safeguarding. Upon the previous LADO's departure from the Council the Education Safeguarding role separated from the LADO position which has helpfully allowed the post-holders to concentrate on their respective areas of business.

The Allegation Management Coordinator role has been consistently staffed over the past year together with some additional administration support to concentrate on improving the timeliness of meetings and outcomes, recording of data, the reviewing of historical cases, archiving of old cases, and the development of a new data management and case recording system.

As a result of the above the team's performance, the quality of current data, and the resolution of recording issues have greatly improved from last year. There remains room for improvement and we are confident that the Allegation Management team can continue to develop with a clear ambition for excellence.

I would like to pay tribute to the staff that have supported the LADO over the past twelve months for their commitment and hard work that has helped to develop this team and the allegation management practice within the county.

2. Allegations Management – Process

s.11 of the Children's Act, Working Together 2018, and Keeping Children Safe in Education (KCSIE) 2015 direct partners in their safeguarding duties to children. This includes maintaining effective inter agency procedures for dealing with allegations against people who work with children, and monitoring and evaluating the effectiveness of those procedures. The team employ the South West Policy and Procedures for Allegations Management in line with Allegations Management teams across the South West.

The current LADO completed a review of the role and processes in place in 2018, which has resulted in a number of recommendations and improvements. Data accuracy is improving and is now better able to reflect actual volumes of work, inform performance improvements, and offer thematic learning.

3. Review of National LADO Activity

The National LADO Conference has not taken place this year due to COVID-19 but virtual meetings are being arranged to ensure all LADOs remain updated with national developments. The National LADO lead is the Croydon LADO at this time who promotes key issues with other organisation including the Department of Education (DfE).

One of the key priorities at this time is for the National LADO Network (NLN) principles to be agreed by the DfE and included in the guidance document Keeping Children Safe in Education. This would allow the principles used by LADO's to be included within statutory guidance.

The revised version of Keeping Children Safe in Education is due to be released in the autumn of 2020. This document includes an additional fourth criterion for Allegation Management: 'where a person has behaved or may have behaved in a way that indicates they may not be suitable to work with children'. Given the breadth and room for interpretation around this criterion, it will need additional national guidance when implemented.

4. Review of Regional LADO Activity

The Regional South West LADO group is now chaired by the LADO from North Somerset. Regionally, there are 13 Local Authorities represented on the group which has been running since 2007 and meeting quarterly. The LADO's are kept up to date with national and regional developments, and supported in aligning good practices. This year, the group has concentrated on quality assurance, sharing good practice, and on assisting multi-agency learning. The South West group has been instrumental in supporting the development of Gloucestershire's processes and continuing improvement.

Developing a formal pathway for other Local Authorities to peer review cases is also being discussed within this group. A peer audit tool has been developed and is available to be used across the region. Work from the NLN has contributed to the regional group who regularly discuss and feed back comments on improving the new National LADO Principles and Terms of Reference.

5. Review of LADO activity within the county

The pathway for Allegations Management naturally prioritises criminal investigations, safeguarding responses (where a child has suffered or is likely to suffer from significant harm), and safe employment practices. It is however broader than this in the consideration of allegations indicating that someone working with children may 'pose a risk of harm' to them. The LADO is therefore often spanning decisions that involve 'beyond reasonable doubt' through to 'balance of probabilities'.

Allegations Management meetings consider all aspects from a multi-agency perspective and involve the person's employer or volunteer lead, police, social care and an employer's relevant human resources advisor. Each step of the process is coordinated by the LADO who also coordinates the actions of the involved agencies to ensure a full picture is considered when assessing the risk posed by the person subject to the allegation.

One area of practice that is recognised to be a gap by the NLN relates to individuals who are not employed at the time of the allegations process. A number of instances of this have arisen in Gloucestershire, prompting the development of guidance on this matter for the team. We are currently sharing this draft guidance within our national and regional networks to draw on the thinking from other sites that equally acknowledge this as an area for development. Early indications are that our guidance (once finalised) could support the

region with this practice and it is good to see Gloucestershire setting a standard in this regard.

Furthermore, a management review in the service of a number of cases involving enduring concerns about individuals and/or organisations has led to our piloting a process to better respond in such circumstances. At present this involves the following criteria:

- a) An allegation is made against an individual who has had two previous unsubstantiated findings over a period of a year;
- b) there are 3 allegations similar in nature against staff in a single organisation in the preceding 12 months, and a review of the organisation indicates concerns about the culture or practices within that organisation;
- c) three referrals from a setting over a period of a year where, after LADO review, there are concerns regarding the practice and culture of that setting.

The meetings held to date have been well-received by all professionals (including colleagues from Ofsted and the DfE) and have been beneficial in the sharing of information and agreeing appropriate follow up. This process has delivered considerable impact thus far and on this basis we are undertaking a review to support it becoming standard practice.

In addition to dealing with daily referrals the LADO chairs a safeguarding group within Gloucestershire's the Muslim community. This group promotes safeguarding within other faith communities and meets regularly to plan events for professionals and the community as a whole throughout the year. In June 2019, with the support of the safeguarding executive and Office of the Police and Crime Commissioner, a safeguarding event was held with a multi-faith group which was very well-received and long overdue.

In addition to the above, awareness training has been provided to a large number of organisations within the county including the police, social care, fostering agencies, taxi drivers, children's care providers, nurseries, faith groups, and housing providers. This training is very worthwhile but time consuming with only one LADO currently in post. The additional LADO capacity coming into the service from September 2020 will expand the community offer of the team.

In their 6th monitoring visit in September 2019, Ofsted reviewed the allegation management process within the county and highlighted the following areas for improvement:

- a) the case management system and the quality of case recording
- b) the timeliness of progressing cases which can impact on effective information sharing, and coordinated multiagency planning and response
- c) the inclusion of timescales within action plans following meetings
- d) the need for performance information about awareness-raising activity and evidence of impact
- e) availability of outcomes for individuals

Some of these areas had been acknowledged prior to the monitoring visit and were in train (e.g. the commissioning of a software case management system). Nevertheless, the observations of the regulator have been taken to heart and the team have worked tirelessly to progress in these areas. Planning actions routinely now have timescales and are tracked by the LADO. The performance information presented below indicates progression on the points of timeliness and outcomes but more remains needed to raise this performance. The need for archiving historical paper records has been a sizeable task and is nearly completed through the addition of administrative resource to the team for this task. More remains needed on a performance framework around the community offer and we are now able to progress this with the arrival of the additional LADO capacity.

Many LADOs nationally continue to operate with Excel and Word systems as their primary recording mechanisms. This is because there is generally a paucity of suitable software solutions for this safeguarding function. During the last financial year the Allegation Management team have been working with an external software provider to develop and pilot an on-line data management solution. This pilot has yet to conclude and as such remains under review.

As a contingency within this, and being mindful of the Ofsted feedback, the team have set up and are running an Excel and Word system in parallel which mirrors the function maintained by other LADOs. Whilst this has been time consuming it has been worthwhile in improving data accuracy, reporting, case recording and offering resilience with an online software solution that is yet to become fully operational.

6. Allegations management performance information April 2019 to March 2020

In the last two years, volumes of activity in the team have risen significantly. This has partially impacted on the team's performance and quality as noted in the Ofsted visit. The addition of capacity in 2020/21 will help with this significantly.

6.1 Referrals/Contacts

As per **Figure 1** below, for 2019/20, the total number of contacts and referrals was **694** which is an increase of **55** from 2018/19 and **303** more than in 2017/18.

13 contacts were received in 2019/20 from Ofsted. One related to a social care setting, 11 to educational settings and 1 to an Early Years setting.

203 referrals (**29%** of all contacts and referrals) were assessed as meeting the threshold for allegations management which is an increase of 50 on last year's total of 153, and 57 more than the 146 in 2017/18.

Figure 1 – Referrals/contacts 2017/18 – 2019/20

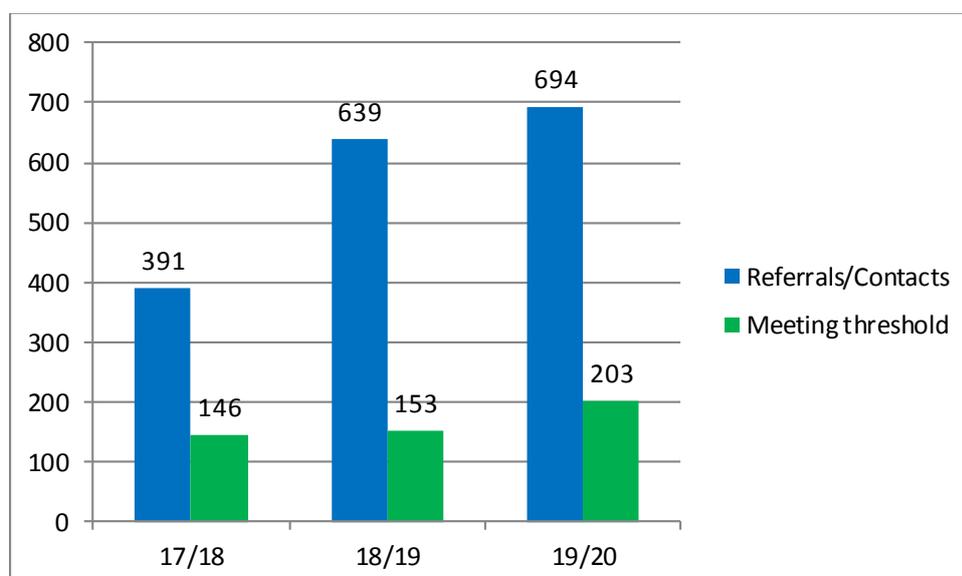


Table 1 – Outcomes of contact 2019/20

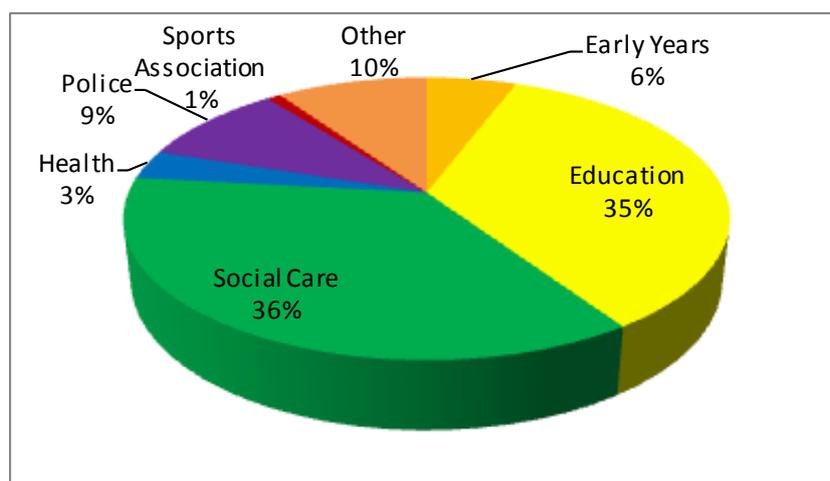
Contact Outcome	Actuals	%ages
Contact - Consultation pre referral - criteria not met	2	0
Contact - Advice provided	45	6
Contact - DBS Query	1	0
Contact - Ofsted Concern	10	1
Contacts sub-total	58	8
Referral - to Adult Safeguarding	13	2
Referral - to other Authority LADO	26	4
Referral - criteria met threshold	169	24
Referral - criteria met threshold - no meeting, investigation complete	34	5
Referral - criteria not met	392	57
Referral - to Children's Services	0	0
Referral - to Police	0	0
Referral - Complex Allegations Meeting	1	0
Referrals subtotal	635	92
Total	693	

Based on **Table 1** above, contacts accounted for 8% with most of these requiring advice from the LADO. Referrals accounted for 92% of the activity. 24% of all contacts and referrals (169) met the threshold for strategy, 5% (34) met threshold but no meeting was required, and 57% (392) did not meet threshold.

Table 2 – Referrals by agency

Referring Agency Type Overall Figures	Total
Early Years	40
Education	243
Social Care	252
Health	23
Police	66
Sports Association	6
Other	67

Figure 2 – Referrals by agency as percentages



As per **Figure 2**, the majority of referrals come from Social Care (36%) and Educational establishments (35%). Those subject to allegations are predominantly employed by Education (43%) and Social Care (23%); see **Figure 3** below. This is consistent with patterns in the last two years.

Referrals from social care and education are further differentiated as follows:

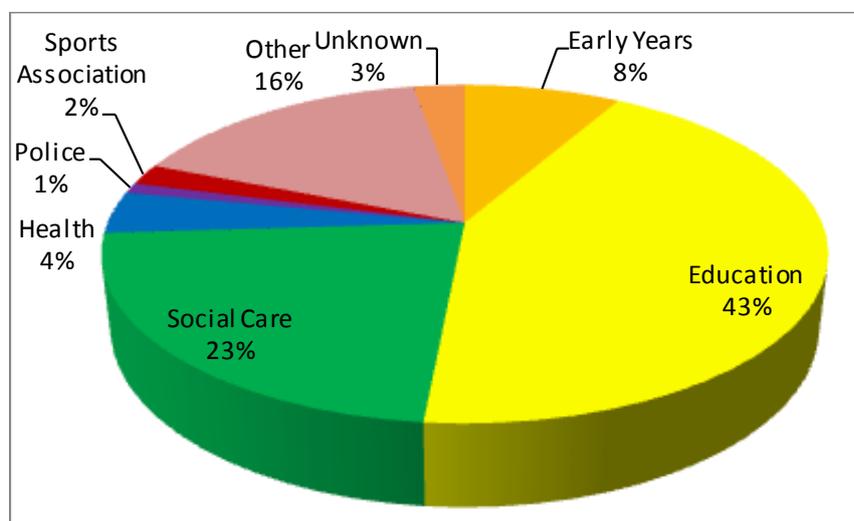
Table 2 – Categories of referrals from social care

Category	Actuals	%age
Care Home	24	10
Charities (e.g. NSPCC)	9	4
Children's Services	188	75
Fostering	20	8
Other	2	1
Supported Accommodation	6	2
Ofsted	3	1

Table 3 – Categories of referrals from education

Referring Agency EDUCATION - Individual Categories	Actuals	%age
Education - Alternative Provision	14	6
Education - Higher	7	3
Education - Other	3	1
Education - primary	104	43
Education - Secondary	51	21
Education - Special	25	10
Education- independent	24	10
Ofsted - Education	15	6

Figure 3 – Employment of the subject of the allegation

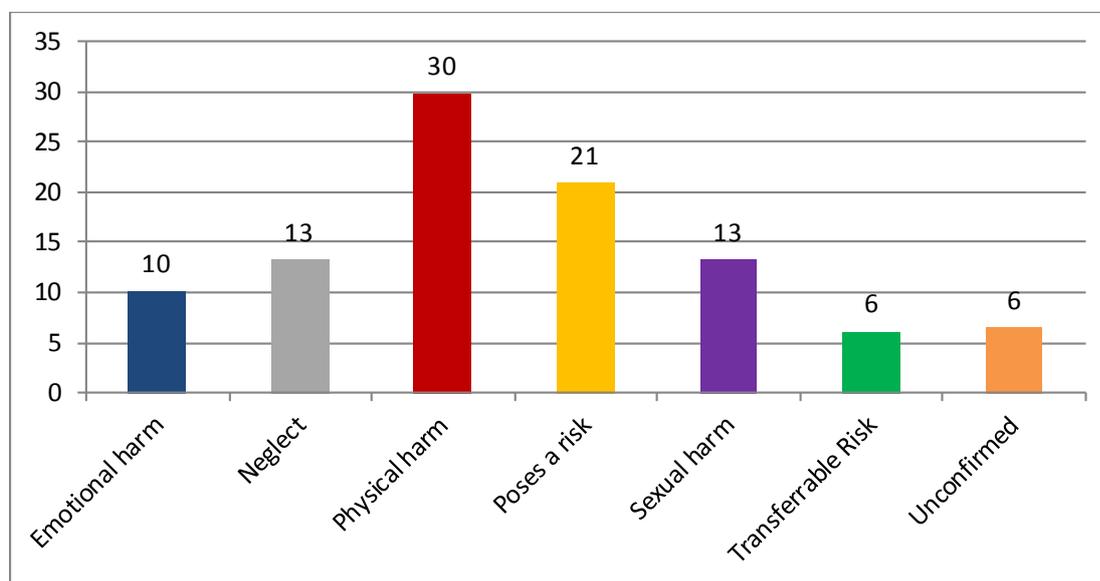


In relation to the above, most of the Educational employers are Primary schools (131 of 301 : 44%) followed by Secondary schools (71 of 301: 24%). For social care, most are from fostering (60 of 157: 38%) followed by care homes (36 of 157: 23%).

6.2 Categories of Abuse

As per **Figure 4** below, the primary category of abuse in contacts and referrals was physical harm (30%) followed by the individual posing a risk (21%), and sexual harm and neglect at the same rate (13% respectively).

Figure 4 – categories of abuse as percentages



In 2018/2019 Physical Harm was the primary category (29%) with the second most contacts having the category of harm as 'unconfirmed' (27%), and this was followed by neglect at 16%. The improved data quality in the last year has helped to reduce the rate of 'unconfirmed' classifications considerably which will support better comparative analytics in future years.

6.3 Themes arising

This year has seen an increase in contacts that have involved a concern about **professionals working with adults**. The Gloucestershire Safeguarding Adults Board (GSAB) [Adult Position of Trust \(PoT\) framework and process](#) offers guidance on this matter. Some local authorities have retained the function of the DASM (Designated Adult Safeguarding Manager) but this role is not described in the GCC PoT framework. This means that greater rigour is applied to allegations management for children rather than vulnerable adults. Should this trend of contacts to the LADO relating to adults in PoT continue to increase, this may become a matter for discussion with colleagues in the GSAB.

'Manager-less' individuals, for example individuals who are self-employed or left the employ of the setting in which the allegation arises, continue to increase the workload of the LADO. Where there is no employer to undertake the expected investigation, support and intervention (if needed), and the matter does not pass the criminal and safeguarding thresholds of the Police and Children's Social Care then there is no clear statutory lead in these matters. This is an area of acknowledged weakness in the NLN's guidance and for this reason Gloucestershire are developing local guidance on this matter in consultation with members of the national and local networks.

Contacts and referrals have risen over the past year detailing where professionals' personal circumstances potentially impacting on risk to children in their professional role. These **transferrable risk cases** are complex and require sensitive action plans being developed to support these individuals and effectively manage risk.

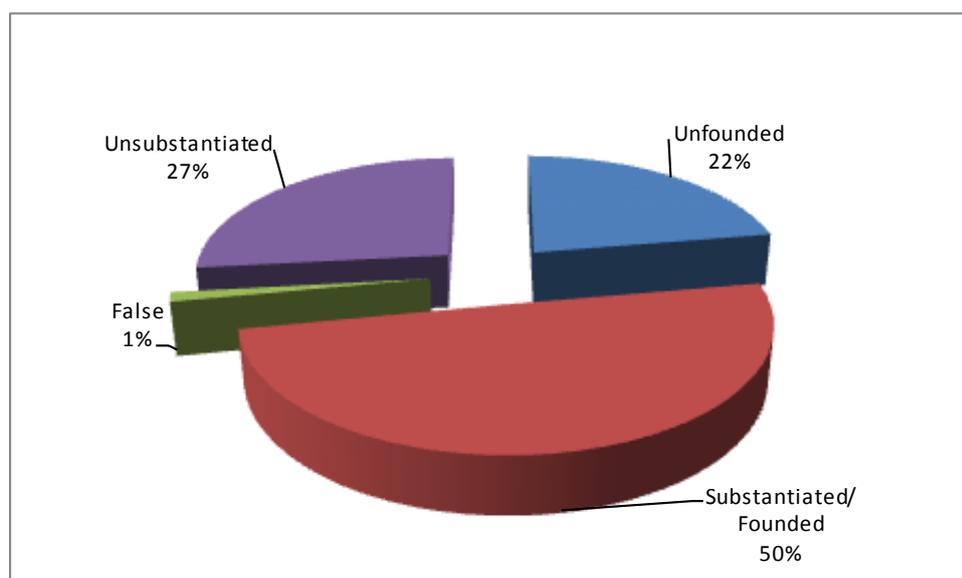
6.4 Outcomes

As outlined in KCSIE, the Allegations Management process allows for a number of possible Primary outcomes to be awarded to cases. These are:

- Unfounded
- Unsubstantiated
- Malicious
- False
- Substantiated/founded.

The Primary outcomes for the cases in 2019/20 are shown as percentages in **Figure 5** below.

Figure 5 – Primary outcomes as percentages

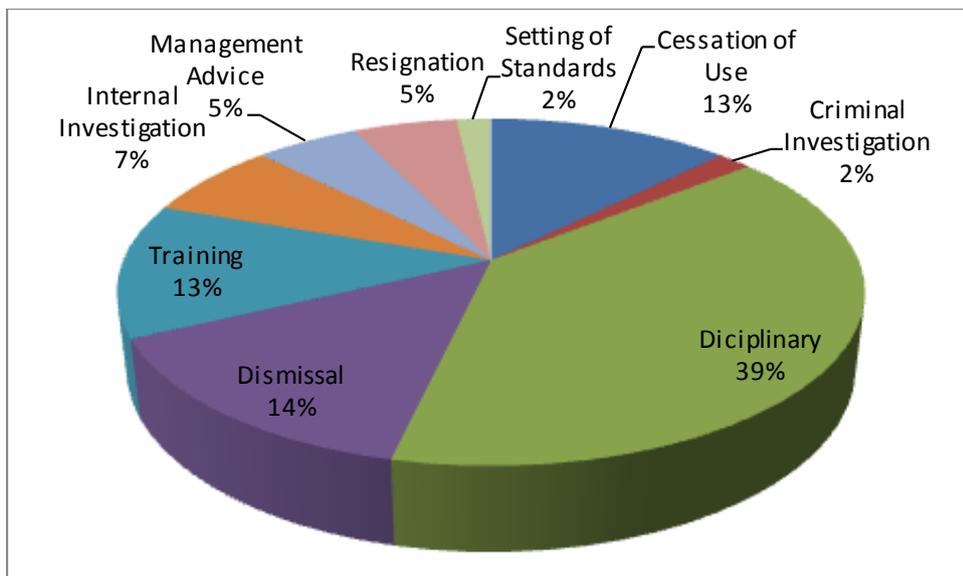


As part of this process there are also a number of subsequent disposal actions (Secondary outcomes) which can be assigned by the LADO. These include (but are not limited to):

- Resignation
- Disciplinary
- Cessation of Use
- Dismissal
- Criminal Investigation
- Internal Investigation
- Training

Figure 6 demonstrates that most secondary outcomes involved disciplinary action (39%) followed by dismissal (14%) and training and cessation of use (both at 13%).

Figure 6 – Secondary outcomes as percentages

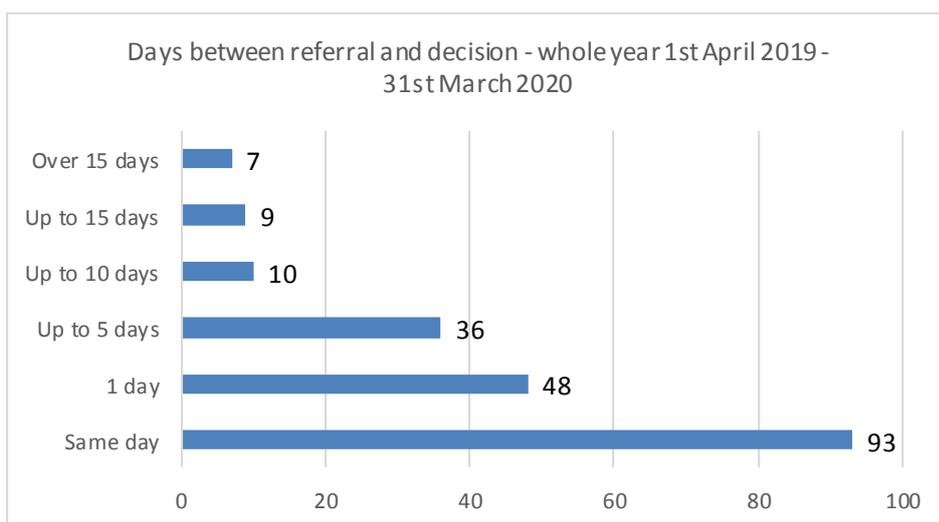


6.4 Timeliness measures

As a result of historical weaknesses in data availability and accuracy it is difficult to establish any comparative work on timeliness. Also, the current performance information can provide timeliness measures for those cases that met threshold and this is reported below. The performance framework will be expanded to also report on those that do not meet threshold.

In total 203 cases, met the threshold.

Figure 7 – Days between referral and decision



From **Figure 7** it is evident that 93 cases (46%) were decided on on the same day as the referral, and a further 48 (24%) within 1 day. In total 87% were responded to within 5 days.

As per **Figures 8 and 9**, there was a considerable performance improvement in this regard following the 6th Ofsted monitoring visit.

Figure 7

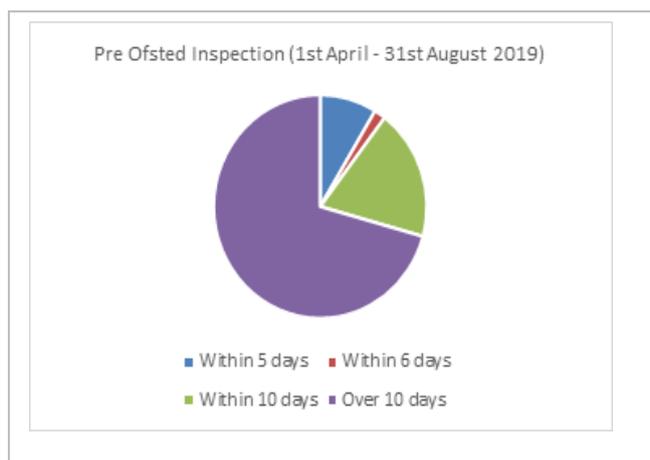
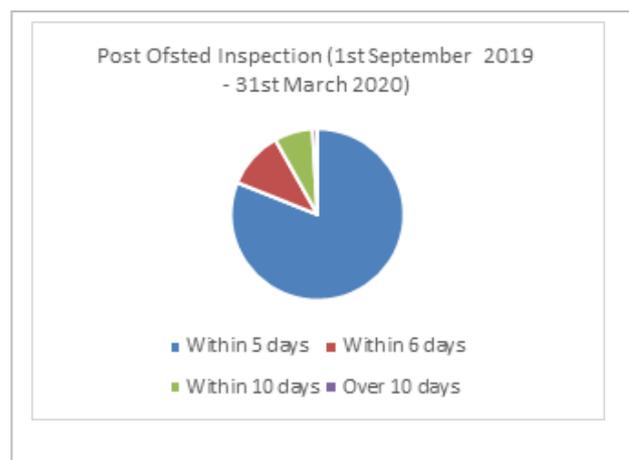
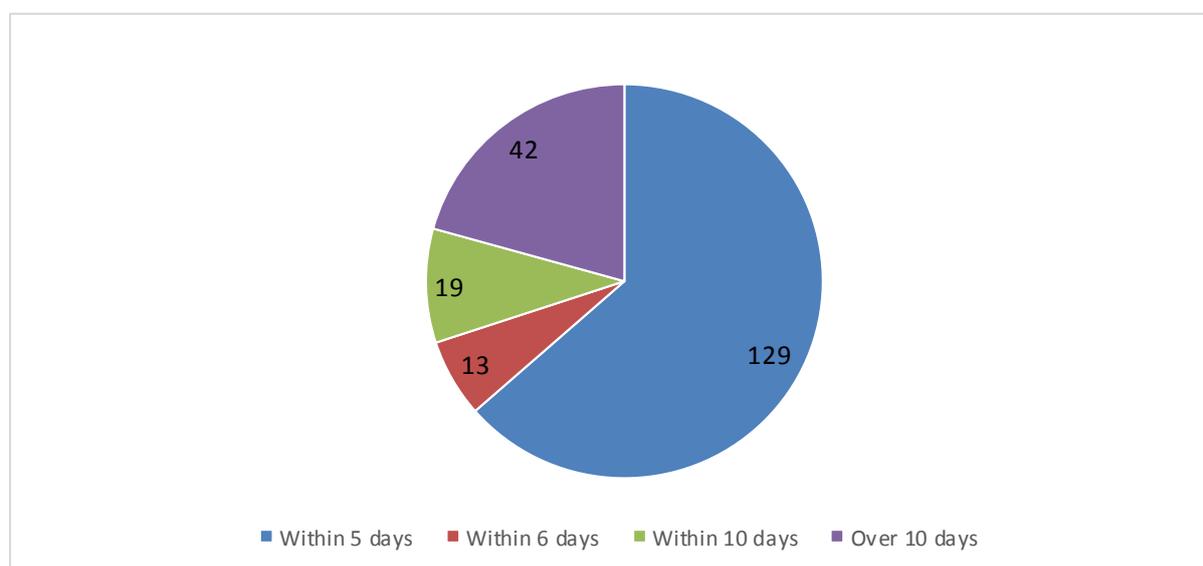


Figure 8



In terms of the days between the LADO decision on threshold and the first Allegations Management Meeting (AMM), **Figure 9** demonstrates that most of these were undertaken within 5 days.

Figure 9 – Days between decision and meeting: 1st April 2019 - 31st March 2020



Between the first and second halves of the year there was again a considerable improvement in performance for this measure (see **Table 4**).

Table 4 – comparison of timeliness: Decision to Meeting

	First half 2019/20	Second half 2019/20
Within 5 days	64%	85%
Within 6 days	70%	94%
Within 10 days	79%	100%

Some of the reasons for the meetings not being held within the 5 day target include annual leave for the LADO and the unavailability of other professionals (including disruption through school holidays with educational colleagues).

The timeliness measures set out for LADO in KCSIE are:

- 80% of cases are resolved within one month
- 90% of cases are resolved within three months
- All but the most exceptional cases within 12 months.

For the reporting period: 47% of cases were resolved in one month; 61% of cases were resolved within 3 months; and 79% of cases were resolved within 12 months. At the close of the reporting period 21% of the cases remained open. Of this 21% (44) cases open as at 31st March 2020, 16 cases have since been closed with 15 remaining open. The reasons for these 15 cases remaining open are:

- 8 cases relate to ongoing police investigations
- 2 cases relate to a school that is currently closed down therefore unable to obtain an update
- 5 cases await the completion of internal investigations and the LADO being updated.

Though these cases are accounted for, the overall performance on the KCSIE metrics needs to improve. This is an area of focus with the arrival of the additional LADO capacity in the 2020/21 financial year.

7. Review of open cases

During this reporting period, the team have addressed a considerable backlog of 286 files have reviewed open files that are held within this team. To date, 191 of the files have been closed.

COVID-19 has hindered this process of late introducing delays to responses from external agencies that are needed to progress these files. Another barrier to this exercise has been where the contacts used during the Allegation Management process are no longer employed and there are no obvious routes of contact, or worse the closure of particular settings. In addition some of the older records are paper-based and it is these that were identified as problematic by Ofsted. The paper records prove slower to work with than digital formats. Another issue has been the complexity and length of some investigations, including those in the criminal justice system.

The present process of archiving, following up and addition of administrative resource is helping us to regularly review these open files, digitise them, and work towards the necessary resolutions.

8. Complaints

During this financial year the Allegation Management team has received one complaint. This was from the subject of an allegation who requesting a review of the LADO decision and that this be overturned. This complaint was reviewed by a highly qualified independent professional who provided some helpful points of learning for the team but ultimately the LADO decision was upheld. This learning has been directly transferred into the work we are doing on 'managerless' individuals.

9. Summary of key issues

This past year has been a very busy one due to the volume of incoming work and the remedial work needed within the team. This combined with staffing issues at the beginning of the year limited the speed at which progress could be enacted. As can be seen in the

performance figures, the past six months has seen the team's progress accelerate. This is thanks to the team's tremendous work, the diligence of the LADO, and the investment in the team by senior leaders.

I am now confident with the additional part time LADO and appropriate administrative capacity that the performance, quality and reach of the team will continue to improve, making this an efficient and effective team within the local authority.

10 Priorities for LADO 2020-2021

1. Continue to improve the quality of data relating to the Allegation Management process.
2. Implement an agreed database and produce quarterly detailed management reports to show key data appropriate to the allegation management team and identify themes. This will include data on referrals not progressing through the AM threshold, and reporting on the LADO's community offer and the impact this is having.
3. Review outstanding actions and close cases with appropriate outcome in a timely manner in line with the KCSIE standards.
4. Continue with a programme of awareness training for professional organisations.
5. Continue to work with faith groups in the county to ensure a consistent safeguarding message is shared.
6. Implement a Quality Assurance process for allegations management.
7. Develop an approach that places the child(ren) at the forefront of the AM approach in Gloucestershire.
8. Align the LADO contribution on safer recruitment with the GSCE offer.