



Safeguarding Children

ALLEGATIONS MANAGEMENT

Annual Allegations Management Report July 2017

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This report is offered to the Gloucestershire Safeguarding Children Board (GSCB) as an annual record of Allegations Management within Gloucestershire. It includes the National, Regional and Local picture, legislative changes and their effect on working, a case study and statistics on Allegations Management referrals and their outcomes throughout the year.

1. Allegations Management - Process

Working Together 2010, Appendix 5 states that “LSCBs have a responsibility for ensuring there are effective inter agency procedures in place for dealing with allegations against people who work with children, and monitoring and evaluating the effectiveness of those procedures”. The South West Policy and Procedures has adopted the Working Together 2010 (Appendix 5) framework for Allegations Management as the local arrangement with the agreement of all the South West Local Authorities.

The recent Working Together 2015 (April 15) retains the Allegations Management process but ceases to use the term Local Authority Designated Officer ‘LADO’, instead calling officers in this role ‘Designated Officers’. Nationally all LA’s apart from 1 continue to use the term LADO and the DfE are considering a change in the next version of Working Together.

Working Together is currently out for consultation again for a 2018 version. The Government has responded to consultation submissions and the Allegations Management process remains unchanged in this response.

1.1 Disqualification by Association

Currently the Disqualification by Association regulations remain in place. This involves an annual self disclosure for school staff working with under 8s on their own criminal background and also that of those living in their household. Previously this had only been in force for Early Years staff providing care for young children in their own homes e.g. child minders. However, the new guidance (Oct 2014) and later amended new guidance (Feb 2015), requires the same for those working in school hours for Reception aged children and up to aged 8 in Before or After School Provision. The LADO role remains cited in this guidance for schools as a contact for advice on whether information on a self disclosure warrants an application to Ofsted for a waiver for the member of staff to continue working with children. This has continued to generate additional work for the LADO role. The *Disqualification under the Childcare Act 2006* legislation is still to be reviewed but this has not yet happened. We remain hopeful that the 'by association' requirement which is not helpful to schools will be removed.

2. Allegations Management Nationally

In June 2017, following a successful first year, the Gloucestershire LADO stepped down as National LADO Network Chair and took up the role of Vice Chair for the year.

The NLN is made up of 2 representatives from each of the 9 Regional Groups. All groups are now represented and have been part of the development of work undertaken by the NLN. During its second year, the NLN has met 4 times in Birmingham.

This year the Gloucestershire LADO has on behalf of the NLN;

Completed a set of National LADO Principles in order to:

- provide a high level guide for LADOs and ensure some form of parity Nationally
- Aid understanding of the role for our partners where required and particularly to Ofsted for use during LA Inspection.
- Provide a useful set of competences for new and existing LADOs.

These were sent out to every LADO in the country with mostly positive responses. LADOs have been asked to use them for a year and to feedback comments. The National principles are attached at **Annex A** for information.

The National LADO Conference was set for 2nd March this year but had to be cancelled due to snow. It has been rescheduled for 11th May and the Gloucestershire LADO is speaking at the conference about the National LADO Principles. The DfE are also attending, as is IICSA.

The NLN, also via Gloucestershire's LADO, has responded to the Ofsted Consultation on Keeping Children Safe in Education and Working Together 2018. We have also liaised with Ofsted and the DfE and DBS on issues affecting the effectiveness of the LADO role. One of these is that where a person is dismissed, or

ceases to be used (in the case of a volunteer) there is a remit for the employer to refer to the DBS. However, the LADO is not advised whether the person is barred from working in a regulated activity. If someone is barred, then it becomes a criminal offence for them to seek to work with children in a regulated activity. This causes difficulties for LADOs if they have a further allegation made against the same person and don't know the barring decision. LADOs were able to cite cases where this lack of information has caused difficulty in assessing risk and the DBS are now considering advising the LADO of barring decisions for cases that have gone through the Allegations Management process.

3. Allegations Management in the South West

Gloucestershire's LADO has stepped down from chairing the South West Local Authority Designated Officer Group after 8 years in order to Chair the National LADO Network. The group is now chaired by the Bristol LADO with the vice chair from Plymouth. 13 LAs are represented on the group which has been running since 2007. The group has a business plan and terms of reference and its primary functions are to ensure SW LADOs are up to date with National guidance, developments within the South West (as neighbouring LAs) and are working in a comparable way (quality assurance). This year the group has concentrated on quality assurance and on assisting multi agency learning. New LADOs have been supported and good practice, as well as problem areas, have been shared across the region. A peer audit tool has been developed and is being used across the region. Work from the National LADO Network has contributed to the regional group who have discussed and fed back comments on the new National LADO Principles and Terms of Reference.

4. Local Arrangements for Allegations Management

The Allegations Management process within Gloucestershire sits within the GSCB Business Unit. The LADO for Gloucestershire is also the Safeguarding Children Manager (education). The LADO provides advice and guidance in relation to allegations as well as monitoring the progress of cases to ensure they are managed consistently across agencies and private employers and are brought to a close as quickly as possible.

In July 2015, a second LADO was appointed on secondment for 2 days per week for a period of 2 years to assist with capacity. This has now ended and the second LADO has retired. In November 2017, a new Second LADO, Nigel Hatten, was appointed part time permanently. This has been very successful and continues to work well. Nigel is a very experienced in child protection and has been awarded a Queen's Award for his work in this area.

5. Allegations Management Framework

The framework for managing cases under Allegations Management procedures is broader than the remit for criminal investigation or situations where there is reason to believe a child is suffering or likely to suffer significant harm (Section 47 Children Act) or Employment Law situations within the workplace. The procedures also look at

allegations that might indicate someone working or volunteering to work with Children may 'pose a risk of harm' to children. Allegations Management meetings consider all aspects from a multi agency perspective and involve the person's employer or volunteer lead, police, social care and HR for whatever area the adult is working or volunteering. Each step of the process is supported by the LADO who also ties together single agency actions to ensure a full picture is considered when looking at risk for employment.

LADOs have, through the NLN, provided a clearer definition of harm for the purposes of Allegations Management, to the DfE for consideration and inclusion in the guidance.

Where a criminal investigation ceases due to lack of evidence or a child not wishing to make a criminal complaint, often the Allegations Management meeting is reconvened at this point in order for information to date to be shared with the employer. This means information on risk from outside of the workplace can be incorporated into risk assessment for the person continuing to work with children (as per *Keeping Children Safe in Education 2016*).

6. Gloucestershire Allegations Management Statistics 1.4.17 – 31.3.18

There have been 391 allegations of abuse or neglect by people working or volunteering with children made to the LADO this year. This compares to 364 in the time period 1 April 2016 to 31 Mar 2017. Of these allegations, 146 were taken forward to a multi agency Allegations Management meeting because they met the thresholds under the Government's Allegations Management process. The thresholds are that if the allegation is true, the member of staff has:

- Harmed 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 might pose a risk of harm to children.

This compares to 137 meeting the same thresholds for the same period last year. This means that 37% of the 391 allegations made to the LADO met the Allegations Management thresholds following the initial discussion and preliminary investigations. This remains exactly the same percentage as the same time period last year (as compared to 32% the year before). All allegations, whether they meet the thresholds or not, are recorded centrally in case they become a pattern of behaviour and the employer is asked to manage them, coming back to the LADO if there are further concerns

Trends:

The previously identified trend for high number of allegations made against education staff continues. In total there were 144 (174 last year) allegations of abuse and neglect made against education staff in this time period. While there were 58 (80) allegations made against education staff of physical abuse, this is significantly lower than the previous year and much lower than the year before (101). There were 41 (40) allegations of sexual abuse and 25 (26) of emotional abuse. In addition,

there were 20 (28) allegations of neglect made against education staff. This follows a generally consistent pattern across other LA areas in the South West and nationally.

As in previous years the figures for allegations against Foster Carers remains the next highest category with 24 (19) allegations of physical abuse and 4 (4) allegations of sexual abuse, 10 (10) of emotional abuse and 11 (14) of neglect.

Who is making allegations?

Most allegations are referred in by Education staff, closely followed by Social Care and Police. This has been a pattern for some time.

Other agencies continue to refer in though with a notable increase in referrals from a diverse number of Sports agencies (netball, basketball, cricket, lawn tennis, football, rugby, archery, rowing, equestrian, climbing and leisure centres).

Agencies do not always refer in their own staff and continue to refer in concerns about staff working with children from their agency e.g. schools referring in regarding sports coaches, drivers, and the voluntary sector.

There is wide range of other agencies referring in Allegations Management cases. These include; care homes, early years settings and foster care agencies and Health. This year included driving instructors, uniformed groups, riding schools, dancing clubs, football clubs and gymnastics groups and dentists. Referrals have also been received on a regular basis from Ofsted, CQC, the NSPCC, Children's Homes, Early years, foster carers, Faith groups, members of the public, probation, charities, other local authorities, other LADOs, housing, safeguarding adults, GSCB, councillors, employment agencies and early help staff.

Who are the Allegations made against?

The majority of allegations remain against Education staff (in total 144 (174)). Second to Education staff the number of allegations made against foster carers (47 this year) but closely following these are allegations made against Early years Staff which stand at 31. 152 of the allegations were physical in nature which is the highest number. There were 107 sexual allegations (including those electronic and on-line image cases).

The number of allegations made against police officers this year was 18 following a dip in figures to 4 last year (16 the year before). There was a concern that allegations weren't being referred in but following a meeting with staff from the Professional Standards Unit, it is very clear that the process is working.

Types of Allegations made

Across all agencies, there were 107 (101) allegations made of sexual abuse against a child. 13 (20) of these were allegations of use of indecent images of children/sexual images/inappropriate texting/inappropriate use of social media by staff working or volunteering with children. The highest numbers of allegations of a sexual nature were made against education staff 41 (40), drivers 16 (7) and Sports

staff 13. Last year's higher number of sexual allegations made against Faith Groups has decreased back to the previous year's figures.

Example :

A member of sports staff in a school was alleged to have been inviting teenaged girls on their own into one of the teaching rooms. She gained their trust, talked about school problems and sided with them against members of staff. She asked for their mobile numbers and started to text them in the evenings on the pretext that she was worried about them. One of the girls was more vulnerable and did share some personal information with her. She invited her onto her Facebook account.

The member of staff invited the pupil to meet her in her car after work. She took her out for food and dropped her home. This happened a few times and the girl felt that they were friends. She confided things in this member of staff.

Her friends grew worried and felt that the member of staff was singling out this pupil. They went to another member of staff to tell. When asked about this, the member of staff grew anxious and agitated. She said she loved the girl and wanted her to leave school so that they could be together. She began messaging the girl increasingly frequently and told her she would kill herself if the girl wouldn't see her.

School referred in for Allegations Management on the basis that this member of staff was posing a risk of harm to the girl. An allegations management meeting was convened. Under the new Domestic Abuse laws, Coercive Control was considered.

When spoken to by the police, the girl stated that she had misunderstood the situation and she did not wish to make a criminal complaint of any kind. Her parents supported her in this.

The case was therefore not criminal and so reverted to an internal investigation on the lower thresholds of 'on the balance of probabilities' by the employer. The employer felt that the member of staff had a sexual interest in girls of the age that she taught and that she had acted upon this. Her position at the school was deemed to be untenable and she was dismissed and referred to the teaching council (NCTL, now the DfE Teaching Regulation Agency April 18) and the DBS.

The outcome of the DBS decision is unknown because once dismissed, the school had no legitimate interest to be told. The outcome for the NCTL was that she was disqualified from teaching. This does not however prevent her from working in a non teaching post in a school, or any other Regulated Activity. The requirement for Safe recruitment is heightened by such cases.

There were 152 (163) allegations of physical abuse against children across the agencies. As recorded in previous years, by far the majority of these were lower level allegations made against education staff 58 (80). For the last 3 years running

though, this figure has decreased by approximately a third each year. Work with schools on keeping staff safe and safer working practice may be starting to embed.

There were 65 (91) allegations of neglect, with the majority of these being within the education (20) and Early Years sector (14). There were 11 (14) allegations of neglect against foster carers. Other agencies all received fairly small numbers of allegations of neglect.

There were 67 (64) allegations of emotional abuse with the majority again being from education and foster carers.

Outcomes from Allegations Management cases

The Allegations Management process allows for a number of possible outcomes: Unfounded, Unsubstantiated, Malicious, Substantiated, Resignation, Disciplinary, Suspension, Cessation of Use, Dismissal, Referral to regulatory body, Referral to Disclosure and Barring Service (DBS), Criminal Investigation, Caution or Conviction. This means that for most cases, more than one recording will be made to show progress through the process e.g. someone suspended pending a criminal investigation who then resigns and is later convicted will have all of these recorded against their case at any one point.

There have again been a higher number of non current (historical) allegations made this year than in the previous years, almost all to do with sport. This is linked with high media interest in non recent allegations and Op Hydrant.

High Profile Cases

There have been 2 high profile cases hitting the media this year. One was a teacher convicted of voyeurism in school. His case went through Allegations Management and he received a 4 year prison sentence. The other is ongoing but has been reported in the local and national media when a plea hearing was held. There are 2 employers within county who have worked well with agencies on this case.

The LADO assisted the managers to draft letters for parents once the allegations were in the public domain. Links between the LADO and the Police and GCC press offices have continued to be good this year.

Challenges and Learning from LADO cases

Quantitative and Qualitative Data

The figures continue to show that agencies making referrals remain diverse, as are employment settings where those who have allegations against them work. It is hoped that this is due to continued roll out of training and an increase in knowledge across the county. The LADO continues to sit on the Diocese Safeguarding Board and works closely with the Diocese Safeguarding Officers.

Taxis

Police DBS officers have worked closely with the LADO this year and have also become part of the Gloucestershire Licencing Officers Group (GLOG). This has proved very helpful in ensuring information sharing and a common understanding of safeguarding issues and concerns centring around taxi and bus drivers for children which remains a Regulated Activity.

Complaints about Allegations Management

There have been 2 complaints regarding Allegations Management cases in this reporting period.

The first was from a parent who did not agree that the thresholds for Allegations Management were not met. The LADO's decision not to take action was reviewed by the Head of Quality under the Complaints Procedure and upheld.

The second was a complaint from a member of staff working with children who had an allegation made against them regarding their own child. The child was subject of a Child Protection Plan because it was felt that the child was being placed at significant risk of harm by the parent. All felt that having an own child deemed to be at risk of significant harm meant that working with other people's children was not safe. The member of staff did not agree.

Ofsted view of Allegations Management

During the recent Ofsted inspection of Children's Social Care, the LADO met individually with an inspector. The conversation was entirely positive and the inspector was interested in local cases and files, record keeping and attendance at meetings as well as decision making and follow up actions. The regional work was discussed and the inspector was particularly interested in the National work and how this was being taken forward with Ofsted. The comments regarding the Allegations Management process within the final report were short but complimentary;

“Allegations against adults who work or volunteer with children are treated seriously. Tracking and information-sharing processes are in place. Allegations meetings are held, with appropriate attendees, and result in a proportionate response and relevant actions being identified.” Gloucestershire Ofsted Report 13.6.17 Para 48

How can we improve? Future areas for development

Timescales for holding meetings following an allegation need to improve. This is hampered by the sheer volume of work coming in and by the availability of the police for meetings. On average LADOs receive 8 allegations a week and chair 3 meetings per week but in reality these come in more during the term time and so the volume is much higher in certain weeks. Cases are becoming more complex and not having a dedicated LADO means that where the LADO is doing other work, allegations have to wait. A dedicated full time LADO should help with this.

Manager-less Organisations continue to be a challenge. There are a large number of single person groups and clubs such as martial arts, boxing, art clubs, music teaching, dance studios etc. This means that if an allegation is made against the club's leader, there is no regulatory body and no manager to invite. The only person to speak to about the allegation is the person themselves. Gloucestershire has piloted the model of holding a meeting to share information without the 'employer' represented and then meeting with the individual separately. This model is within the National LADO Network Principles as good practice and has been put to the DfE for inclusion in the Allegations Management section of Working Together 2018.

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Annex A



National LADO Principles

1. About these Principles

This set of National LADO Principles has been agreed by Regional Representatives from across the Country in consultation with partner agencies and Regional Groups. They are principles of practice which aim ensure parity between LADOs at a high level and should be adopted as such. Where a Regional Group or individual LADO has a more detailed set of standards to follow, these should take precedence over the National LADO Principles but should broadly be in line with them.

Where a Regional Group or individual LADO does not have a set of principles or there is a disagreement between LADOs or within a Local Authority regarding action required, the National LADO Principles may be used to help resolve this.

National LADO Principles have not yet been provided to Ofsted and the Department for Education who are partners with the National LADO Network. It is hoped that in the future and when embedded, the Principles should be used as a set of good practice assurance for the Allegations Management process against which LADOs can be inspected.

2. Definition of 'working with' children

An adult who is working or volunteering with children or coming into contact with children through work on a regular basis and would be seen as being in a position of trust over them. In addition, this would also apply to someone under 18 in the same position e.g. a 17 year old teaching a musical instrument or instructing a group.

3. Scope of the LADO role

Working Together 2015 sets out that Local Authorities should have a Designated Officer (LADO) to be involved in the management and oversight of allegations against people that work with children where a person who works or volunteers with children 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; or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children

This can be in connection with his/her employment or voluntary activity, or in relation to a person private life where:

- Concerns arise about the person's behaviour with regard to his/her own children;
- Concerns arise about the behaviour of a partner, member of the family or other household member.
- Where other information suggests they may pose a risk to any person that may demonstrate a transferable risk within their role with children.

4. Cross Border Working

Where there is an allegation which involves the co-ordination of cross border communication and activities, there should be clear identification of a single lead LADO who is responsible for ensuing matters are appropriately investigated. In the absence of a regional protocol, the following should be considered:

- In the first instance this should be the LADO in the area where the most organisational risk from the alleged perpetrator's employment exists. This would usually be where the person is currently working.
- Where there exists reasonable grounds to recognise that the effective management of an individual case may be undertaken by a LADO located in another LA e.g. potentially where an allegation happened on a trip but the adult and child are both from a different LA area, then a discussion should be instigated between LADOs with clear agreement reached and recorded
- Where such agreement cannot be reached, the LADO where the allegation took place should escalate to senior management for a higher level cross county discussion to take place and agreement to be made. Cases, including those which are non recent, must not be left without LADO oversight.

5. Collation of statistics

LADOs should hold statistical information in a format that is readily available in order to;

- Ensure information regarding a potential perpetrator of harm to a child is recorded securely and available to compare with new information regarding the same person.
- Assist in answering freedom of information (FOI) enquiries.
- Provide comparable figures to assist Regional Groups or Nationally in identifying trends or areas of commonality or disparity.
- Provide accurate figures to Ofsted/DfE when required.

6. Annual Reports to the LSCB

Each LADO should complete an annual report for their LSCB that shows areas of commonality and trends, is analytical, has actions and is SMART. In order to do this, the LADO report should:

- Consider individual, regional and National work carried out
- Include statistics that enable the LSCB to see broadly which agency allegations come from and who they are about, how they have been investigated and the outcomes.
- The report will aim to identify trends and qualitative data to explain these, areas of concerns and areas for future work

- The LADO will consider broad details on complaints regarding the LADO process, how these were resolved and any learning points with potential recommendations to the LSCB.
- The LADO will consider a 6 month interim report to the LSCB to suit their requirements.

The outgoing National LADO Network chair will produce a short annual report on the work of the NLN over that year which will be disseminated to partner agencies and to the chairs of Regional Groups for discussion as required.

7. Voice of the Child in the LADO Process

“The small victim of a private crime must search for the adult who will listen to an offensive account and take action against a trusted peer” Summit, Roland C.1983.

It is important that the voice of the child is not lost within the Allegations Management process. LADOs should ensure that the child has been spoken to by the professional most appropriate in the circumstances and their views gained. The LADO should not accept an ‘assumed’ view of what the child or young person says has happened or how they might feel. The child should be actually asked about what has happened and how they feel. The LADO should request evidence that this has been actioned, or that the child has declined to talk about the allegation.

Consideration should be given to how the child would like the allegation investigated but a child should always be told that this may not be what happens depending on the severity of the allegation.

Where a criminal investigation is going ahead against the wishes of a child and without their statement or co-operation, the child should be informed of this.

For key considerations regarding hearing the voice of the child, see **Annex 1**

8. Referral and the Referral Process

All LADOs will receive information which might be viewed as a referral, a complaint or a consultation.

Referrals; Where information amounts to an allegation that meets the thresholds this should be recorded. Where information amounts to an allegation but it doesn’t meet the thresholds for an Allegations Management meeting, the LADO should record this as no further action after initial consultation.

For example: a teacher is alleged to have shouted for a prolonged period at a child. The school feels the incident has happened but that the child hasn't been singled out (not emotional abuse). School are completing a setting of standards interview with the teacher who is aware that further action will be taken if the incident is repeated. School have spoken to parents who agree with this way forward. This might be recorded as NFA after initial discussion in case it becomes a pattern of behaviour that might later amount to emotional abuse.

Complaints; Where information relates to a complaint about practice rather than an allegation of abuse, the LADO should direct the referrer to the relevant complaints process.

For example: a social worker is visiting a family who allege that his manner is over familiar and intimidating. He puts his feet up on the chair, helps himself to biscuits tells them that if they don't like it they will have to report him. He 'tuts' at them and shakes his head when he writes things down and makes them feel small. While completely inappropriate, this wouldn't meet the Allegations Management thresholds without further concern. It is a complaint regarding practice rather than an allegation of abuse.

Consultations: Where information does not constitute an allegation but is more general and 'in principle' the LADO may decide not to record this at all.

For example: a foster carer has accidentally dropped their laptop down the stairs and it has smashed at the bottom. The foster carer swears several times out loud and this is heard by the fostered child. The referrer asks whether in principle swearing at or in front of a fostered child would amount to an allegation of emotional abuse of the fostered child. In this case, the swearing was not at a child and the LADO might decide that this doesn't constitute an allegation at all and therefore not record it anywhere.

Recording information

Every LADO will have a different mechanism for receiving information about a potential allegation. Some individual LADOs have developed referral forms and others prefer not to do this. Where an allegation meets the Allegations Management thresholds then information recorded should be a minimum of:

- Date of contact to the LADO
- Date of the alleged incident
- Details of the person making the referral (name, agency and contact details)
- Details of the person whom the allegation has been made against (name, DOB, agency and contact details for both work and home)

Where they previously known to LADO or the Local Authority?

Do they have caring responsibilities (children of their own)?

- Child/Young person's details (name, DOB, address, do they have a social worker, do they have communication difficulties?)
- Detail of the allegation and or concern
- Primary alleged category of abuse (physical, sexual, emotional, neglect or risk of harm)
- LADO decision and the rationale for this decision to be included.
- Actions arising from the referral.

9. Managerless Organisations

Often LADOs receive an allegation regarding an adult working with children where there is no manager or overarching body to invite to a meeting as the 'employer'.

LADOs should be aware that the management of allegations where there is no manager is an area of weakness and challenge within the Allegations Management process. Every effort should therefore be made to invite registered/professional/affiliated body to attend meetings but where there is none, LADOs should arrange for information from professionals to be shared in the normal way in order to assess risk. If there is to be a criminal or Section 47 investigation, this should continue and the police or children's social care should be asked to explain the Allegations Management process to the individual about whom the allegation has been made so that they are aware that their employment might be affected (for example if there are bail conditions).

If there is no criminal investigation, the LADO should consult with the other agencies and consider meeting separately with the person the allegation has been made against to advise them of the allegation and seek their views, offering advice on practice and policies.

10. Quality Assurance

All LADOs should attempt to ensure that their work is audited and quality assured. In order to quality assure the work of LADOs, these Principles include a Peer Audit Tool for use within a Peer Audit process. This audit is intended to be used as a tool to enable Peer Audit of the statutory LADO function. The audit will cover a strategic overview, operational function, data collection and case file standards.

See **Annex 2**

11. Retention of Records

In the absence of a differing individual or regional protocol, LADO records should be kept to ensure that details of allegations are available should they be required. Working together 2010 advised that allegations should be kept on a staff member's personal file for 10 years or until normal retirement age, whichever was the latter. There has never been specific guidance on the length of time LADO records should be kept.

Guidance from the Independent Investigation into Child Sexual Abuse (IICSA) advises all organisations to retain any and all documents, notes, e mails and all other information - however held – which contains or may contain content pertaining directly or indirectly to the sexual abuse of children or to child protection care, children relates to any person under the age of 18. This remains in force.

For all other information and where a LADO has no local retention policy, a guide to timescales has been agreed.

See **Annex 3**

12. Outcomes and lessons learned

All cases managed by a LADO must have a final outcome recorded and appropriately communicated to those who attended the meeting. Sometimes it is not possible to record the final outcome at the time of the meeting so LADOs should give consideration to a mechanism to communicate the final outcome and to record lessons learned from the case. This could be form part of the quality assurance of Allegations Management cases or take the form of feedback from those involved.

13. LADO Competences

The role of the LADO has grown from different arrangements across different Local Authorities and Regional Groups. Working Together 2015 changed the qualifications required for the LADO role, suggesting that new LADOs should be Social Work qualified. Many LADOs across the country are not from a Social Work background and continue to

work as LADOs. Some Local Authorities are recruiting LADOs from different backgrounds who have relevant skills and experience.

In order to undertake the role of the LADO, and where there is no local or regional standard, the National LADO Network has agreed a set of competences that might be useful for LADOs to ensure that they have, or work towards. See **Annex 4**

Annex 1

Hearing the voice of the child

This section outlines some key considerations when ensuring that the voice of the child is an integral part of the LADO process. It is important for children to be listened to effectively and for their views to contribute both to individual case decisions and to service improvement, while at the same time ensuring that appropriate action is taken to ensure that no child is at risk of harm from adults that work with them.

Why is the Child's Voice important?

- Children should feel listened to and reassured that their views are important
- Professionals will see the experience of the child from their point of view
- Children will be kept at the centre of the decisions made
- Professionals will be less likely to make assumptions about the thoughts and feelings of children involved in a particular investigation

What happens when Children and Young People are not listened to?

- Children are less safe
- Children are less happy and their wellbeing is lower
- Children become less visible; adult needs can dominate
- Assumptions are made about children's lives and experiences

What needs to happen during the LADO process?

- The initial strategy meeting should consider the welfare of the child and who will support the child during the LADO process
- The initial strategy meeting should consider whether an advocate should be made available to the child or whether an intermediary could be used to ensure the child's views and perspective are included in the meeting
- Minutes of meetings should document the child's account of what has happened
- Minutes of meetings should record the child's wishes and feelings
- Discussion with parents, family members, carers or other agencies should be included in the decision making process
- The views and knowledge of other professionals who know the child and may have significant contact with the child should be taken into account
- It is important to give feedback to the children throughout an investigation and not just at the end
- Involving the child or young person is a continual process that needs reviewing at each stage of the LADO process
- At the end of the LADO process there should be an analysis of the information held and the decisions made to consider what the impact might be on the child
- On a regular basis the views of young advisors, children in care councils and school councils should be sought about their views of the LADO process and the may

also include sharing the annual LADO report with them. Information from these events should be used to shape future practice.

Consider using guides and leaflets to give to parents and young people to assist with explanations of the LADO role and process.

It is can be helpful to give some written material to take away and consider and then offer another opportunity to talk again later. During the LADO process the best person to undertake this role should be identified according to their knowledge and relationship with the child and their parents/carers.

How to feed back to a child involved in an allegation should be carefully considered and recorded.

Annex 2:**Quality Assurance Audit Tool for LADOs**

A self-audit should be undertaken first to enable the LADO to identify strengths and areas for development. The peer audit that follows will cover the same criteria and the two can then be compared.

Collaboration and assistance from officers within the relevant local authority will increase the value of the audit and the ability of the authority involved to identify areas to improve and support the LADO function.

Ofsted Grade Descriptors will be used in the audit:

Outstanding

Good

Requires Improvement

Inadequate

It is hoped that the auditor will also be able to comment on the Overall Effectiveness of the LADO function.

Combined findings should be fed back to the relevant Head of Service/ Director.

Criteria / guidance notes	Overall Grade	Comments
<p>Strategic:</p> <p>Strategic links with other service areas:</p> <ul style="list-style-type: none">• Education such as Head Teachers, Governors, school forums• Human Resources services within the borough		

<ul style="list-style-type: none"> • Safeguarding leads in partner agencies such as Health and Police. • Fostering and residential placement providers, commissioning teams • Local staffing agencies • LSCB sub groups/ main board • Other partner groups such as voluntary agencies <p>How are these links evidenced; what formal networks are in place, what informal networks there are</p> <p>How LADO function sits within the structure of the organisation</p> <ul style="list-style-type: none"> • Is it clear who is responsible for the role, where referrals go to • Is there one named LADO or is the function delegated to others 		
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<p>Operational:</p> <ul style="list-style-type: none"> • Level of understanding of the LADO role within social work teams and how is this evidenced including intake teams, long term teams, Child in Care teams • Links with Designated Leads in schools, and Headteachers operationally rather than strategically, level of understanding of schools of the duty to refer, strategies in place for improving/maintaining this • Understanding of Child Protection Conference Chairs about process if parents at conference are also professionals working with children; and IROs regarding concerns about fostering services or placement providers, about the role of the LADO. • Operational links with Health partners, Designated Nurse, Doctor, GP, etc. • Operational links with police teams/ MASH teams • How is training on Allegations Management delivered 		
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<p>Escalation policy for concerns about a service area in terms of how they deal with allegations.</p>		
<p>Support Network:</p> <ul style="list-style-type: none"> • Support for partner agencies/ quality assurance arrangements for other agencies • Support within the authority for LADO as an isolated post • Supervision arrangements for LADO- how effective is supervision • Support networks externally for LADO outside the local authority 		

<ul style="list-style-type: none"> Physical location of LADO in regard to the service <p>Training:</p> <ul style="list-style-type: none"> Evidence of training to raise awareness of LADO procedures within organisation Evidence of training to raise awareness of LADO procedures outside organisation/ with partners Training for LADO- relevant training opportunities identified, Continuous Professional Development 		
<p>Thresholds for Referrals :</p> <ul style="list-style-type: none"> Evidence that thresholds are <ul style="list-style-type: none"> Clear Consistent Proportionate Appropriate Understood 		
<p>Record Keeping and Data Retention:</p> <ul style="list-style-type: none"> Evidence of criteria for recording and data retention processes within the organisation regarding allegations Evidence of criteria for sharing information on professionals/ volunteers and access levels under data protection 		

<ul style="list-style-type: none"> • Data retention and data protection compliance • • Systems for recording cases if there is no named child • Are there ways of linking patterns of professional / volunteer/ agency over time 		
<p>Random sampling of cases:</p> <ul style="list-style-type: none"> • Standards of recording; name, address, organisation, referrer, details of referral • Tracking of progress of cases, case notes/ chronology • Outcome/ conclusion • Advice/ support given to professional/volunteer including feedback at end of process • Support given to child/ young person and recording of their views, wishes, feelings • Timeliness of investigations • Referrals to DBS, and other regulatory bodies 		
<p>Leadership and governance</p> <ul style="list-style-type: none"> • Authority of LADO role within organisation 		

<ul style="list-style-type: none"> • Systems for delegating authority • Job description/ clear outline of role 		
Resources <ul style="list-style-type: none"> • Are there sufficient resources to do the job eg; time; administrative support; cover arrangements. 		
Safer Recruitment <ul style="list-style-type: none"> • How does the LADO link in with safer working practices and safer recruitment processes within the borough 		
Areas for improvement <ul style="list-style-type: none"> • Areas identified by LADO • The role requires a strategic lead to work more closely with partnerships and make improvements in the service. • Areas such as delivery of LADO training advise re recent updates to working together safer recruitment etc.. • Working more closely with LSCB members, leaflet advertising and explaining the service briefings etc... • Devise improvements for collation of data to report on trends impact and themes with more robustness. • Referral forms and outcome forms require updating as is clarity re the referral process. 		

• Areas identified by auditor		
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FURTHER INFORMATION:

Name and Employing Authority of Auditor	
Confidentiality Declaration	
Where will the copies of this audit be kept and who will have access to them	

Annex 3

LADO Information Retention Policy

This policy aims to provide guidance to LADOs and other agencies around the retention of information that is collated by LADOs. The purpose of this guidance is to ensure that agencies are fully aware of what information will be retained, for what purpose and for how long.

Prior to the Independent Investigation into Child Sexual Abuse (IICSA), there was no National Government Guidance in place to advise LADOs around how long information should be retained.

The guidance from IICSA advises all organisations to retain any and all documents, notes, e mails and all other information - however held – which contains or may contain content pertaining directly or indirectly to the sexual abuse of children or to child protection care, children relates to any person under the age of 18. For all other information, the following timescales aim to give a national guideline:

CONTENT/ TYPE	SCENARIO	TIMESCALE FOR REVIEW	ACTION	RATIONAL
Contacts, Initial Considerations and Referrals that do not Progress	All contacts, Initial Considerations and referrals into LADO where it is clear that there is no evidence to substantiate the allegation	Reviewed 10 years from the date of closure	All information should be deleted or removed, unless at that point the LADO is able to rationalise why the	<i>A decision to retain information beyond 10 years may be taken by the LADO if patterns or behaviour are</i>

			information should be retained.	<i>emerging that suggest the person could continue to pose risk of harm.</i>
Malicious, False or Unfounded	All cases that progress to strategy meeting whereby the allegation is found to be Malicious, false or unfounded.	Reviewed after 10 years from the date of closure	If no additional information or evidence is brought to light during this period, the information should be deleted or removed, unless the LADO is able to rationalise why the information should be retained.	<i>A decision to retain information beyond 10 years may be taken by the LADO if patterns or behaviour are emerging that suggest the person could continue to pose risk of harm.</i>
Unsubstantiated	All cases that progress to strategy meeting whereby the allegation is found to be unsubstantiated.	No Date for review	These records should be retained until the alleged perpetrator reaches the age of 100 years. Following this time they should be deleted and destroyed.	<i>For cases that are deemed unsubstantiated there is neither evidence to confirm or deny the alleged incident happened and therefore the risk in deleting this information is too high information sooner.</i> <i>The decision made to retain records whereby the outcome is unsubstantiated comes from the Bichard enquiry</i>

				<i>regarding Ian Huntley who had a series of unsubstantiated allegations against him that presented a pattern of concern.</i>
Substantiated	All cases that progress to strategy meeting whereby the outcome is found to be substantiated.	No Date for review	These records should be retained until the alleged perpetrator reaches the age of 100 years. Following this time they should be deleted and destroyed	<p><i>Substantiated case should not be deleted or removed sooner than this time as the outcome suggests the person poses risk of harm to children and the information should remain.</i></p> <p><i>This allows for allegations that may be made once the person has died per Jimmy Savile and Cyril Smith.</i></p>

Recording dates for review

When a case is closed by LADO a review date should be recorded 10 years for the date of closure.

For cases that are unsubstantiated & substantiated, at the time of case closure, the date at which the alleged perpetrator turns 100 years old should be recorded as the date of review.

Cases that are reviewed and a rational is provided to retain information, a new date should be recorded as to when the case should be reviewed again.

Annex 4

COMPETENCES:

It is nationally agreed that LADO appointments should be at a senior level or agreed level with enough influence to be effective. Current practice shows that LADO appointments vary from senior managers to social work practitioner grades. There is currently no specific LADO qualification required.

Professional based competencies:

- It is now the case that new LADOs must hold a social work qualification. However current LADOs and new LADOs even with a social work qualification should have a level of professional experience of multi-agency challenge and an understanding of education, social care and police roles.

Knowledge based competencies:

- An understanding of child protection law.
- An understanding of criminal law.
- An understanding of employment law.
- An understanding of child protection processes.
- A knowledge and experience of risk assessments.
- The ability to work with people.

Experience based competencies:

- A reasonable post qualification experience in services to children and families.
- The ability to chair complex meetings.
- The ability to write succinctly.
- Demonstrable resilience.
- Time management skills.
- Working under pressure.

Desirable:

- For those without a social work qualification to be registered with a professional body and/or qualification specific to child protection.

TRAINING:

Training available to LADOs will vary in each region. Where there is no local or regional agreement for LADO training, the following should be the minimum considered for a LADO:

- LADO to have updated child protection training regularly.
- The LADO should have access to courses and materials that enable the LADO to keep abreast of legislation changes in all agencies for example, Keeping Children Safe in Education, Prevent Duty, Female Genital Mutilation and protection of Children with Disabilities.
- Arrangements should be considered within local authorities for the LADO to receive reflective supervision.