****

BCP Children’s Services.

Allegations against staff and volunteers who work with children - Guidance for BCP Practitioners.

|  |  |
| --- | --- |
| Document control | |
| Status | Guidance |
| Effective from | October 2020 |
| Who Must Comply with this Guidance? | All Children’s Services Practitioners |
| Who must be aware of this guidance? | All Children’s Services Practitioners |
| Review Frequency | Annual |
| Policy Lead and Approval Body | CDMB |
| Produced By | Tracey Newcombe |

Table of Contents

[**1.** **Purpose** 3](#_Toc53048216)

[**2.** **The role of the BCP Local Authority Designated Officers (LADOs)** 3](#_Toc53048217)

[**3.** **What to do when a BCP Children’s Service practitioner thinks that an adult meets the criteria** 4](#_Toc53048218)

[**4.** **Follow on actions** 4](#_Toc53048219)

[**5.** **Allegations against staff in their personal lives: Transferable Risk** 5](#_Toc53048220)

[**6.** **Confidentiality** 6](#_Toc53048221)

[**7.** **Involvement of social workers in complex cases** 6](#_Toc53048222)

[**8.** **Allegations against foster carers** 6](#_Toc53048223)

[**9.** **Referrals to Adult Safeguarding** 6](#_Toc53048224)

# **Purpose**

This document clarifies the role of BCP Children’s Services staff when dealing with adults who may pose a risk of harm to the children with whom they work. When an allegation is made, and an individual’s livelihood or reputation is at risk there must be robust processes to ensure that matters are conducted with due regard to fairness to the individual. However, the primary focus must always be safeguarding the child specific to the allegation and other children who the adult of concern may work with or have contact with.

This procedure must be read alongside the full multi -agency procedures regarding Allegations against Staff, Carers and Volunteers are available on the [Pan-Dorset Safeguarding Partnership website](https://pandorsetscb.proceduresonline.com/p_alleg_against_staff.html?zoom_highlight=LADO).

# **The role of the BCP Local Authority Designated Officers (LADOs)**

Adults who work with children should be safe and the threshold for this work is *harm* rather than significant harm. Harm can be through acts of omission (failing to act to protect a child in their care) or commission. There always needs to be carefully evidenced consideration of the impact on the accused adult’s ability to work safely with children.

The BCP LADOs are available to discuss cases with practitioners when they are not sure whether the harm threshold is met. They will help practitioners and employer/managers to decide whether these procedures should be implemented or whether there is a more appropriate way to deal with the issue. Some situations are very clear but, on many occasions, working out whether harm has occurred even when an adult’s behaviour has fallen short of expectations can be challenging.

The LADOs are not investigators. They use their safeguarding expertise to ensure that risk is appropriately managed and that the correct agencies and individuals are involved. As far as the law and statutory interventions allow, they must be satisfied that the child who was subject to the allegation is protected, but also that other children, with whom the adult works with or has contact with, are protected.

The LADO in Bournemouth can be contacted via secure email: lado@bcpcouncil.gov.uk Telephone: 01202 456744.

The LADO provides Information leaflets for the following participants in the Managing Allegations process:

* The General Guidance-gives an overview to managers who are responsible for dealing with the allegation.

* Guidance for children and parents and carers-gives information to children who has made an allegation, their parents or carers about what will happen during the process and what information can be shared with them and how they can access support.
* Guidance for adults who work with children-informs the accused person about the process and what they can expect to happen and how they can access support.

# **What to do when a BCP Children’s Service practitioner thinks that an adult meets the criteria**

In this instance the practitioner should contact the LADO within **one working day** for a discussion. A practitioner should not take any unilateral action or inform an employer. If it is agreed that the matter reaches the threshold for these procedures, then a referral will need to be made on the LADO referral form. The LADO service will ensure that all involved are informed and immediate safeguarding actions are agreed. This can involve a discussion about the accused adult continuing in their role while the investigation is planned and taken forward as well as support to the victim, parents or carers, and any witnesses. These initial actions will be recorded by the LADO and circulated to all involved.

When the matter does not reach the threshold for these procedures the way forward will be discussed and recorded by the LADO as a “Consultation.” A consultation can still be a serious matter and may be dealt with formally by the employer and result in capability or disciplinary action if indicated.

Referrals should give clear comprehensive information that allows the LADO to take the necessary steps to move the process forward. Public Protection Notices (PPNs) do not give enough information and the referring practitioner should make enough enquiries to fully inform the process prior to written referral.

# **Follow on actions**

The main planning mechanism is the **Initial Evaluation Meeting (IEM)** and this will be held within a maximum of **5 working days.** This could be a Face to face or Skype meeting or a process whereby the LADO acts as a focal point and contacts all involved to agree and produce a multi-agency written action plan **within 48 hours.** This is an essential part of the process and Children’s Services practitioners are required to participate if involved in the matter in any way.

The IEM will follow a formal agenda and there will be a full sharing of information across agencies.

A different process is followed when an identified child may have suffered significant harm. For this situation the LADO will join the Strategy meeting being convened by Children’s Services Social Care and the practitioner must ensure that the LADO is invited to this meeting. This will combine the purpose of a Strategy meeting (to discuss Section 47 threshold and plan the next actions in respect of protecting the child) and may address some aspects of the Initial Evaluation Meeting dependant on attendance. This joint planning will improve the process by which the child is protected and the outcome for the accused adult is expedited.

The LADO will keep in regular contact with the employer/ manager and any other agency involved in making enquiries/taking forward investigations that will inform the eventual outcome of the allegation. The LADO will ensure that there is regular communication across the agencies. This period can be lengthy particularly if there is a criminal investigation and subsequent court trial. When the investigations are complete or at the point when enough information is known to bring the matter to a conclusion the LADO will chair a **Post Allegation Meeting (PAM).**

The PAM shares the information following on from the investigation and follows a formal agenda. Those in attendance will have been involved in various aspect of the investigation. Their information will contribute to and decide the “Findings” of the allegation. The Findings will be formally recorded, and any further action discussed. This meeting will be informed by any criminal investigation, social work enquiries, disciplinary procedures or specialist assessments.

# **Allegations against staff in their personal lives: Transferable Risk**

When an accused adult is said to have harmed a child in their working life, the decisions around thresholds can be more straightforward. However, there are times when the harm or potential harm arises because of actions or events in the accused adult’s personal life. This may involve their actions in respect of their own children for example. This matter will be dealt with through consideration of *Transferable Risk*. Transferable risk is complex and social workers must not take unilateral action. There will be many factors that can impact on transferability. Good quality social work assessments can partly inform the risks that an individual pose in their work with children. However, there will be many other factors to be considered and it is for the individual’s manager and the Allegations Management process to balance risks to children through the accused adult’s work.

Situations where domestic violence has occurred in the accused adult’s personal life may warrant an early discussion with the LADO if the matter clearly reaches the threshold for these procedures. However, this threshold will not usually be reached unless the accused adult’s own child becomes subject to a child protection plan.

BCP Children’s Practitioners will work with adults and children over a significant time. They may learn that an individual for whom they have had historical concerns is training to work with children or actively looking for work with children. The Children’s practitioner should discuss these situations with their manager and if they agree that action should be taken the matter must be referred into the Allegations Management process. This provides a formal framework for any subsequent actions, genuine concerns must be addressed, however adults also have the right to move on and make a success of their lives, Given the impact on the individual’s future it may be necessary to seek senior manager approval or legal advice in these matters and this can be addressed through the Allegations Management process.

When there are concerns that an individual may be unsuitable to work with children, but their actions do not meet the criteria for these procedures, LADO advice and expertise should be sought but the matter will not be dealt with under these procedures.

# **Confidentiality**

Information can be shared under the Allegations Management procedures that cannot be shared under other procedures. This includes safeguarding information held by Children’s Services and employment information held by the employer. This is highly sensitive information. The LADOs take responsibility for recording the meetings and case notes in respect of allegations and can advise about what records can be shared and where they can be stored. They should not automatically be stored on the child’s records on MOSAIC.

The LADO has a confidential database of allegations and all communications are via secure email.

# **Involvement of social workers in complex cases**

The LADOs may occasionally request social work involvement in complex cases where the child is not previously known but may have been harmed (rather than significantly harmed) through the actions of the accused individual. Social work expertise is invaluable when children need particularly sensitive interviewing or where there is a potentially dangerous or complex accused adult. The social work assessment can subsequently inform future actions. When a LADO believes this is essential, they will contact a Manager in the First Response Hub for discussion.

There are situations when the harm caused to the child means that they become a Child in Need. They should receive a prompt assessment and intervention. When this is indicated the LADO will ensure that the referral is made into the First Response Hub in the usual way.

# **Allegations against foster carers**

BCP recognise that foster carers work in challenging circumstances on behalf of the local authorities and there are detailed procedures regarding allegations against this group. See *the Allegations/Serious concerns arising about the carers of children in care.*

# **Referrals to Adult Safeguarding**

There are times when an accused adult has a job (or number of jobs) that brings them into contact with both children and adults. On these occasions the LADO will negotiate with the Adult Safeguarding Team Manager about how the adult safeguarding processes will run alongside the Allegations Management procedures.

In respect of transferable risk, there may be concerns that an adult has harmed their own children and they work with vulnerable adults. This is a matter for Adult Safeguarding. Children’s Service’s practitioners should contact Adult Safeguarding for a discussion regarding thresholds as below:

In Bournemouth and Christchurch contact: Care Direct: Tel 01202 454979,

email: [caredirect@bcpcouncil.gov.uk](mailto:caredirect@bcpcouncil.gov.uk)

In Poole contact: Helpdesk: Tel 01202 633902

email: [sshelpdesk@bcpcouncil.gov.uk](mailto:sshelpdesk@bcpcouncil.gov.uk)