

LADO/Allegations Management Practice Guide

What is Allegations Management?

Allegations management is the process by which allegations against people who work with children (in a paid or voluntary capacity) are investigated. Concerns may arise in a wide range of circumstances and can relate to an individual's behaviour in work, outside work or at home.

Bradford Safeguarding Children's Partnership has a duty to ensure that there are effective inter-agency procedures in place for dealing with allegations in respect of people who work with children. This guidance should, therefore, be read in conjunction with the West Yorkshire procedures on allegations against persons who work with children https://westyorkscb.proceduresonline.com/p_alleg_staff.html

The key principles underpinning the allegations management process are:

- The welfare of the child
- Adults about whom there are concerns should be treated fairly and honestly and should be provided with support.
- It is the responsibility of all adults to safeguard and promote the welfare of children and young people.

Organisations and agencies working with children should have clear policies for dealing with allegations which make a clear distinction between an allegation, a concern about the quality of care or practice, and a complaint. Policies should include what support/advice is available to individuals against whom allegations have been made. Any allegation should be reported immediately to a Senior Manager within the organisation who has responsibility for allegations against people who work with children.

Each agency should have a named person who deals with allegations against members of their staff, who is the senior leader of the organisation i.e., the head teacher in a school. There should be one point of contact within the organisation and if they are not available, a deputy should be nominated.

Role of the LADO

The role of the LADO (Local Authority Designated Officer) is to provide advice and guidance to employers and organisations regarding allegations against people who work with children. The LADO co-ordinates and oversees investigations, where the following criteria applies:

A person has:

- Behaved in a way which 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 which indicates that he/she may pose a risk to children.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The LADO receives notification of allegations, liaises with police and other agencies, and monitors the progress of cases to ensure the process is fair and completed as timely as possible.

The LADO service liaises with Bradford Safeguarding Partnership and produces an annual report on the number of referrals, themes and trends.

What is an allegation?

Behaviours which cause concern should be considered within the context of the four categories of abuse (physical, sexual, emotional and neglect). At work this could include concerns relating to inappropriate relationships between members of staff and children, grooming for sexual and criminal exploitation, possession of indecent images of children or misuse of restraint and concerns that arise in one role which may impact on another.

Performance or capability issues are not usually the basis for consideration via the allegations management process, unless the concerns meet any of the above criteria (e.g., persistent health and safety breaches that place children at risk).

Individual behaviours that may be a reputational concern for the employer or lead to criminal charges, but are not related to children (e.g., theft/drink driving), would not usually meet the criteria above.

However, other concerns that arise regarding behaviour/issues in an individual's private life may meet the criteria if the welfare of children is a concern. For example, where an individual's own children become subject to a Child Protection Plan, the employer may be made aware if they work/volunteer with children. The individual may be given the opportunity to inform their employer first, depending on the circumstances. The employer will then be advised to consider and evaluate any risk to children in that setting.

If an adult who works with children is a perpetrator of domestic abuse or is convicted of any other violent / sexual crimes against an adult, disclosure to the employer would be considered by the LADO in respect of transferable risk to children in their employed capacity.

If an adult who works with children is the victim of domestic abuse, this will also need to be considered by the LADO regarding their own children, and the employer may need to consider the impact on the individual within the work setting and their wellbeing.

If an adult is living with a person who has been convicted or cautioned for an offence against a child (not necessarily a partner, it could be an adult child), this should be discussed with the LADO.

The Process

Step 1: Notification/Consultation

The Senior Manager within an organisation who has responsibility for allegations against people who work with children should notify the LADO **within 1 working day** of an allegation being made to them, and prior to any further investigation taking place.

The initial consultation with the LADO will consider the evidence and information available to establish if the criteria above is met. The LADO will liaise with relevant agencies, including police colleagues, as appropriate, to discuss the concerns. There are up to 3 strands regarding possible next steps which the LADO will advise upon:

- Police investigation of a possible criminal offence
- Children's Social Care enquiries/assessment
- Consideration by an employer of safeguarding measures and/or disciplinary action

The LADO will provide advice to the employer about when to inform parent/s of the child.

The LADO will also provide advice to the employer about when to inform the person whom the allegation relates to, subject to any restrictions on the information that can be shared at this point. It is important to remember that organisations have a duty of care towards their employees and should take advice from their HR departments regarding actions required during the allegations management process (e.g., keeping employees informed, offering counselling and support). Decisions about suspension are made by the employer and should not be automatic, but informed by risks to children in the workplace, the nature of the allegation, any criminal investigation and whether there are other duties the individual could undertake pending the outcome of the investigation.

For ideas on where to signpost staff for support see:

[Mental Health - Welcome to Bradford \(welcomebradford.org\)](https://www.welcomebradford.org/)

[Homepage | Healthy Minds](#)

[Mental health services - NHS \(www.nhs.uk\)](https://www.nhs.uk/)

[Homepage - Wellbeing Network | Winter Park Health Foundation](#)

Step 2: Recording confidentially

Following consultation with the LADO, if it is agreed that one or more of the criteria are met, a **LADO referral form** should be completed by the employer/referrer and forwarded to LADO@bradford.gov.uk. It is good practice to send this within 24 hours of the consultation.

All details relating to the allegation, the individual's role within the organisation and household members will then be held securely on Bradford's LCS Allegations Workspace. This information is held by the LADO, Service Manager and Head of Service in the Safeguarding and Review Unit.

Other information shared with the LADO, which does not meet criteria, will be held securely in the Safeguarding Review Unit on the Advice and Enquiries Spreadsheet. This ensures that all enquiries to LADO can be routinely collated and analysed. There is an expectation

that the senior manager in your organisation will also keep a running record of all contacts and actions taken within your organisation.

No LADO information and/or LADO related information should be recorded on a child's file. This is important to maintain confidentiality.

Step 3: Allegations Management Meeting (AMM)

The AMM can be convened at any time in the allegations management process if this is felt to be necessary. If an AMM is not felt necessary by the LADO, the LADO will have allegations management discussions with all relevant professionals /agencies to share information and agree any actions.

Outcomes

Investigations should be undertaken with a focus on establishing and evidencing one of the following:

- Substantiated – there is sufficient evidence to prove the allegation.
- Unsubstantiated – there is insufficient evidence to either prove or disprove the allegation; the term does not, therefore, imply guilt or innocence.
- Unfounded – there is no evidence or proper basis which supports the allegation being made, or there is evidence to prove that the allegation is untrue. The person making the allegation may have misinterpreted the incident, been mistaken or was not aware of all the circumstances.
- Malicious – there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.

If an organisation removes an individual from work/volunteer activity because they pose a risk of harm to children, the organisation must make a referral to the **Disclosure and Barring Service (DBS)**. The DBS helps employers make safer recruitment decisions and prevents unsuitable people from working with vulnerable groups, including deciding if it is appropriate for a person to be placed on the barred list. The DBS referral form can be downloaded from the DBS website. Individuals must also be referred to the appropriate regulatory / professional body such as the Teaching Regulation Agency (TRA) for teachers, Social Work England (SWE) for a social worker or General Medical Council (GMC) for a doctor.

We have been provided with this useful guidance from ACAS. This guide outlines the essential decisions and actions that employers of all sizes must and should make when deciding to investigate. It also provides important information divided into manageable steps for anyone who has been appointed to conduct disciplinary or grievance investigations.

<https://www.acas.org.uk/acas-guide-to-conducting-workplace-investigations>

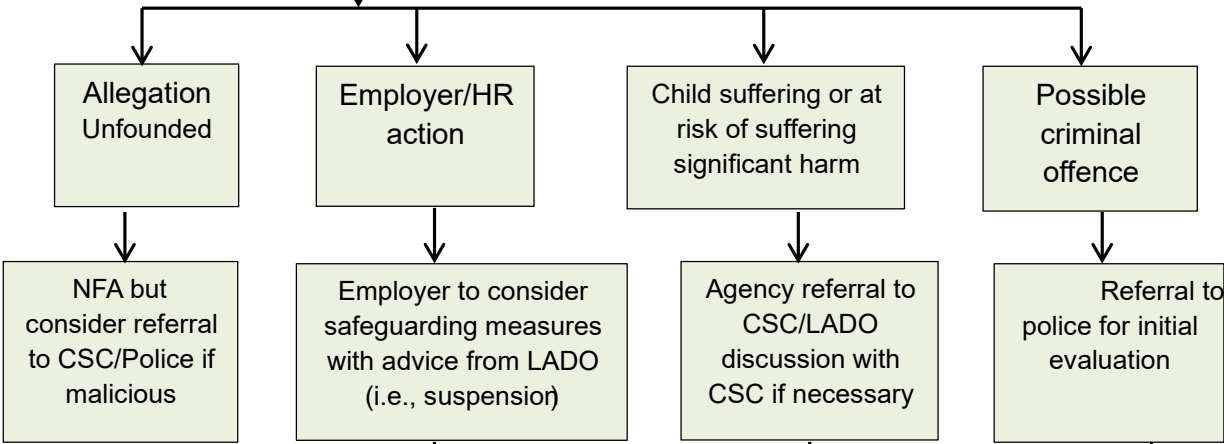
Allegation/concern identified by employer or reported to Police/CSC

Senior Manager for allegations to inform LADO within 1 working day of alleged behaviour:

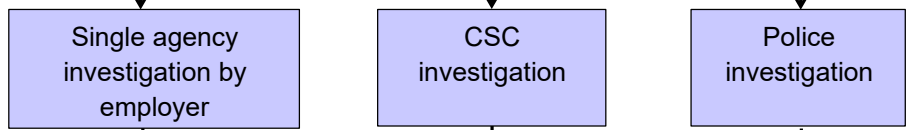
- Has harmed, or may have harmed a child
- Is a possible criminal offence against or related to a child
- Indicates individual may pose a risk of harm to children
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children (*Working Together 2018*)

Consultation between LADO and Senior Manager

Formally logged by LADO
LADO Referral form completed if criteria met.



Share information.
Decide action (consider AMM if required to inform action)



OUTCOMES
Substantiated / Unsubstantiated / Unfounded / Malicious

ACTIONS:

- No further action
- Professional advice, guidance, training
- Disciplinary process
- Criminal prosecution
- Dismissal
- Referral to DBS/ Teaching Regulation Agency/Ofsted

Identify any learning for practice

Contact details:
LADO@bradford.gov.uk