

Introduction

This leaflet is about managing allegations of abuse made against individuals who work with children and young people in any setting. It is important that all allegations of abuse of children and young people are treated seriously and in line with Bexley Child Protection Procedures.

The statutory duty to effectively manage allegations is covered by Section 11 of the Children Act 2004 and is further highlighted in the Working Together guidance, the London Child Protection Procedures and the Department of Education guidance, Keeping Children Safe in Education.

Referral

The LADO process is concerned with managing allegations or concerns about the neglect, sexual, physical or emotional abuse of children. It can also be used to manage wider concerns about grooming or other less obvious possibly harmful behaviour.

A referral to the LADO should be made in all cases where it is believed that a person who works 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
- Behaved towards a child in a way that indicates they may pose a risk of harm to children

Process

Step One

If you become aware of an allegation or have other safeguarding concerns about someone who works with children, you should immediately notify your line manager or designated manager for safeguarding children in your organisation. If they are the alleged perpetrator, then their line manager should be notified instead. The designated person should then notify the Local Authority Designated Officer (LADO) as soon as possible but within one day.

If it is an extremely serious allegation (i.e. it is evident the child has suffered significant harm or is likely to suffer significant harm) and/or there is current injury, (e.g. cut, bruise, scratch, graze, broken bone etc.), risk of losing forensic evidence, danger to child/public/staff or crime ongoing, immediately contact the Police (see contact details overleaf) and Bexley Children's Social Care (see contact details overleaf), then contact the LADO (within one working day).

Step Two

In all but the most serious cases (see above) the LADO and senior officer/designated manager for safeguarding children will initially consider:

- Whether or not it needs referring to the Police or Children's Social Care.
- Whether a LADO safeguarding meeting needs to be held to discuss the issues more fully.
- Whether any immediate action needs taking to make a child or other children safe. This can include giving consideration as to whether it is necessary to suspend a worker, a decision that would be taken by the employer in conjunction with their Human Resources.

What can you expect

Step Three

The LADO will consult with the Police (and Children's Social Care if it is an open case) and the employer or line manager of the accused person if that person is different from the person who referred the allegation.

Step Four

The LADO will then arrange a LADO safeguarding meeting within five working days (whenever possible). The LADO will also record the decisions and actions agreed with the line manager if the allegation does not meet the criteria for a referral to the LADO and further action.

Step Five

The LADO safeguarding meeting will bring together information and evidence in a multi-agency setting and plan any necessary investigation. There are three possible strands in considering an allegation:

- Enquiries and assessment by Children's Social Care about whether a child is in need of protection (Section 47 of Children Act 1989) or in need of services (Section 17 of Children Act 1989)
- Police investigation of a possible criminal offence.
- Consideration by an employer of disciplinary action in respect of the individual.

Step Six

The LADO will continue to co-ordinate and review further action as necessary. They will record information and outcomes to the process and will support employers, where necessary, in referring individuals to the Disclosure and Barring Service or other regulatory bodies.

OUTCOMES

There are six possible outcomes to the LADO process:

1. *Substantiated: there is sufficient evidence to prove the allegation*
2. *Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive*
3. *False: there is sufficient evidence to disprove the allegation*
4. *Unsubstantiated: this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation; the term therefore does not imply guilt or innocence*
5. *Unfounded: there is no evidence or proper basis which supports the allegation being made.*
6. *No further action: after multi-agency consideration of the evidence*

All records of allegations will be kept for ten years or until the person about whom the allegation has been made retires, whichever is longer. Only substantiated allegations may be mentioned in future requests for employment references.

KEY POINTS

- Regardless of the nature of allegations and who receives the allegation, it must be reported to the LADO if it is believed that the allegation or concerns meet the criteria for a referral. This must include situations where the worker resigns. Compromise agreements are not acceptable in such circumstances and may put other children at risk in the future.
- If the allegation is clearly false (e.g. if the accused person has never met the child or was not on duty) the allegation should still be reported to the LADO so that they can decide if the matter should be referred to the Police, who may decide they need to take further action against the person making the allegation, or if the alleged victim has other underlying needs.
- Complaints procedures are separate from the allegations process and just because someone does not wish to make complaint, this does not mean the allegation should not be considered and investigated.

CONTACTS

If you have a concern about a child, please tell somebody who can help:

Bexley Children's Social Care

020 3045 5440 (Office hours)
Out of office hours (Emergency Duty Team)
020 8303 7777

Metropolitan Police

Emergency 999
Non-Emergency 101

Local Authority Designated Officer

James McMillan

T: 020 3045 5543 (direct)
T: 020 3045 5645 (admin)
M: 07950 562936

E: LADO@bexley.gov.uk

E: childrens.triageteam@bexley.cjsm.net

Please use the CJSM email address or other secure email for sending sensitive information.

Bexley Safeguarding Children's Board

www.bexleylscb.org.uk

A LADO referral form and further information about the LADO process can be found on the BSCB website.

If you are faced with an allegation or have serious concerns about an employee, volunteer or professional working or providing services to children, you are strongly advised to seek advice from the LADO immediately. If you do not then this could put children and young people at risk of harm.

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Child protection

Managing allegations of abuse made against somebody who works with children in Bexley



A brief guide about the role of the Local Authority Designated Officer (LADO)