



city & hackney
safeguarding
children board

Hackney LADO Guide

**Allegations against staff or volunteers
who work with children**

April 2015

Introduction

- 1.1 This local procedure outlines arrangements for responding to allegations made against professionals working in Hackney. This should be read in conjunction with Chapter 7 “*Allegations against staff or volunteers, who work with children*” of the LSCB London Child Protection Procedures 2014.
http://www.londoncp.co.uk/chapters/alleg_staff.html

2. Receiving initial referrals / enquiries

- 2.1 Referrals are made by emailing LADO@hackney.gov.uk or phoning 020 8356 8982.
- 2.2 Initial referrals will be taken on by the LADO or Safeguarding Duty Child Protection Chair (CPC) when they are not available. **Any suspected immediate risk to any child or children should be responded to immediately and the case referred to the First Access Screening Team (FAST) on 020 8356 4844.**
- 2.3 The LADO will offer advice as appropriate to the referrer as to immediate steps to take to safeguard a child/ren.
- 2.4 Appropriate referrals will be where any person who works with children, in connection with their employment or voluntary activity has:
- **Behaved in a way that has harmed a child, or may have harmed a child;**
 - **Possibly committed a criminal offence against a child;**
 - **Behaved towards a child or children in a way that indicates they are unsuitable to work with children.**
- 2.5 In respect of jurisdiction, allegations will be dealt with by the Hackney LADO where the **alleged incident took place within Hackney, or where an allegation is made against an adult in their personal life and they work with children in Hackney.** All allegations, including historic allegations, will be responded to.
- 2.6 Some consultations may not reach the LADO criteria above in which case the employer should be advised to consider their own procedures and whether there is a matter of conduct that needs to be explored through an internal investigation or whether any other action may be required.
- 2.7 The LADO will make a decision within 1 working day with regards to whether:
- there should be no further action
 - the employer should be advised to follow disciplinary procedures in consultation with their HR
 - there should be an ‘Allegation against Professionals’ Meeting (formerly MPM) and / or
 - there should be a s47 enquiry
 - immediate suspension should be considered due to: cause to suspect a child has suffered or is likely to suffer significant harm; the allegation warrants investigation by the Police; or the allegation is so serious that it might be grounds for dismissal. Only the employer has the power to suspend an employee and their decision should be in consultation with their HR department.

- if suspension is not indicated, what action the employer will undertake to ensure safeguarding of all children pending the outcome of an investigation

3. Actions when LADO threshold is met

- 3.1 If the threshold within the criteria above is met, the LADO will request written record be sent by the employing agency of the incident/ disclosure made including the date, time, and details of persons present and what was said.
- 3.2 The LADO will confirm with the referrer whether there are any previously known allegations against this member of staff and whether they work with children within any other organisation and whether they have children of their own who may need to be considered.
- 3.3 The referral details will be forwarded to either the allocated Social Work Unit for the child who has allegedly been harmed and/or the child/ren of the professional against whom the allegation has been made to FAST for allocation.
- 3.4 The Social Work Unit/ FAST will send an 87a to the Police and have a strategy discussion to confirm whether this will be a single or joint investigation. The LADO will confirm who should be invited to attend. Any delay in convening the Allegation against Professionals Meeting should not delay other key actions, such as s47 enquiries.
- 3.5 Discussions between the LADO and the employing organisation should confirm who within the employing organisation will inform the subject about whom the allegation has been made and what level of information can be shared (not usually the child's name at this stage).
- 3.6 Information will not be shared if this places a child at further risk or if sharing information at this stage is likely to impact upon a Police investigation. The subject should be advised to contact their professional association and/ or Union and consultation should be held with HR to consider support that may be available.
- 3.7 Where an allegation is made against an adult who works with both children and vulnerable adults, the LADO will make contact with the Safeguarding Adult Team to check whether the individual is known to them and to alert them to the concerns. If appropriate the Safeguarding Adult Team member should attend the Allegation against Professionals Meeting.

4. Allegation against Professionals Meetings

- 4.1 An Allegation against Professionals Meeting should be convened within 3 working days of the referral and constitutes the Strategy Meeting in respect of the allegation. The meeting will consider the following:
 1. Whether s47 enquiries are to be undertaken in cases where there is reasonable cause to suspect a child has suffered or is likely to suffer significant harm;
 2. Whether parallel disciplinary processes should be initiated and if so at what stage
 3. The current allegation in the context of any previous allegations or concerns
 4. Planning of the investigation, allocation of tasks and timescales

5. What information that can be shared, with whom and when and any shielding of CYPS or other agency records
 6. The arrangements that are in place to protect the child/ren involved or affected (including children with whom the subject works and the subject's own children if aged under 18 years)
 7. The support to be offered to the child/ren who have made an allegation
 8. The support to be offered to the member of staff through the process of investigation
 9. Any other factors that may affect the management of the case e.g. media interest, managing confidentiality
 10. Whether there are any measures that the employing agency needs to take to ensure that they have appropriate safe recruitment practices in place and that they provide a safe environment for children.
 11. Whether a referral to the Disclosure and Barring Service is required.
- 4.2 It is vital that at all stages of the process that the person/ people responsible for communicating with the family is clearly identified and that they keep all parties informed of the progress of any internal or statutory investigation in relation to the allegation. Consideration will need to be given to the support that the child and family may need as a result of the allegation and through the process of investigation
- 4.3 The employer should keep the subject about whom the allegations have been made informed of the process and decisions. This should take place only if it does not put a child or children at further potential risk. Consideration will need to be given to support that the subject needs through the process of investigation including through HR, their professional body and/ or their union.
- 4.4 The management of some allegations will require more than one Allegation against Professionals Meeting. Subsequent meetings should be arranged preferably two weeks after the previous meeting, and up to four weeks in more complex cases. This will allow for further discussion to take place as soon as agreed actions have been completed. At the conclusion of the meeting, a recommendation will be made by the LADO about the appropriate outcome to be recorded.

5. Attendance at Allegation against Professionals Meetings

- 5.1 Attendees should include:
- The Designated Senior Manager of the employing organisation
 - A representative from the HR section of the employing organisation
 - A social worker from FAST or the allocated Social Work Unit
 - CAIT
 - Designated or named Safeguarding Children Health Professional when an allegation concerns a health agency professional/ worker
 - Ofsted where the allegation concerns child care provision for children under the age of 8 or where the allegation is against a registered child-minder
 - Supervising Social Worker and Manager of Hackney's fostering service when an allegation is made against a foster carer (along with a representative of a fostering agency where the carer is employed by an Independent Fostering Agency)
 - Those responsible for regulation and inspection where applicable (eg Ofsted, GMC, HCPC, CQC)

- Where a child is resident in another authority, representatives of relevant agencies in that area
 - Complaints officer if the concern has arisen from a complaint
- 5.2 The Allegation against Professionals Meeting constitutes a strategy meeting for the case and therefore the subject and parents are not invited.
- 6. Decision making**
- 6.1 The Final Allegation against Professionals Meeting will come to a conclusion as to whether the allegation was:
- 1) **Substantiated:** there is sufficient identifiable evidence to prove the allegation;
 - 2) **False:** there is sufficient evidence to disprove the allegation;
 - 3) **Malicious:** there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false;
 - 4) **Unfounded:** there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all of the circumstances
 - 5) **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.
- 6.2 The attendees of the meeting should contribute to the decision making and action planning within each meeting and will contribute to the final decision making. Where there is any difference of opinion the LADO will make the final decision.
- 6.3 Any serious dispute regarding decisions that cannot be resolved however should be escalated to the Service Manager Safeguarding and Reviewing and managed as per the CHSCB Escalation Policy and consistent with Pan-London Child Protection Procedures.
- 6.4 At the conclusion of the process a letter should be sent to the subject of the investigation to advise them of the outcome. A decision will be made at the Allegation against Professionals Meeting as to who this letter will come from.
- 6.5 If the allegation is substantiated and either disciplinary procedures lead to the subject being dismissed from work and/ or if the Police investigation leads to a prosecution and conviction, the employer will make a referral to the Disclosure and Barring Service (DBS) for their consideration.
- 6.6 The Employer should update the LADO with the outcome if disciplinary procedures are started and should also confirm with the LADO when the referral to DBS has been submitted.

7. The role of FAST / the allocated Social Work Unit

7.1 Key tasks for the Social Work Unit are to:

- Convene a strategy discussion with the police within 24 hours & confirm whether s47 enquiries are required.
- Take any action required to ensure the safety of any child involved in or linked to the allegation, in consultation with the police.
- Invite the Police to the Allegation against Professionals Meeting
- Ensure that any medical examination takes place without delay where there are concerns about physical injuries.
- Keep the LADO informed of any developments.
- Carry out agreed tasks as decided by the Allegation against Professionals Meeting (to be monitored during supervision)
- Record all information relevant to the child on their case record in FWi.

7.2 The minutes of the Allegation against Professionals Meeting should *not* be attached to the child's file as this includes confidential information pertinent to the alleged perpetrator.

8. The role of the LADO

8.1 Key responsibilities of the LADO are:

- to send out invites to all those required to attend
- to manage the process required when an allegation is made against a professional
- to ensure timescales are adhered to in convening meetings and in carrying out agreed actions
- to ensure that the responsibility for any actions arising are delegated to named people
- to keep the Service Manager Safeguarding and Reviewing Service informed of progress of case including media interest; matters that arise that have implications for wider practice; any professional disagreements; concerns about practice and any delay in the process and completion of the case
- to record the discussion and decisions with clear timescales and circulate these to professionals who attended the Allegation against Professionals Meeting or who did not attend but need to be updated
- to keep the subject's Framework-i file up to date with correspondence, warnings and meeting records.
- to consider any issues that have wider implications for policy and practice

9. The role of the dedicated Service Support Officer:

9.1 The dedicated SSO will undertake checks on the 'Allegations against Staff' database to ascertain if there have been any previous referrals in respect of the individual (and their children) and/ or organisation and will check other recording systems including Comino and Framework-i.

9.2 The dedicated SSO should record the discussion and decisions taken within complex Allegation against Professionals meetings. The LADO will record all other

meetings. Once approved by the LADO the record should be circulated via secure email and uploaded to the subject's Framework-i file.

- 9.3 The decisions of the Allegations against Professionals Meeting should be circulated within 3 working days and minutes should be circulated within a maximum of 10 working days of the MPM.
- 9.4 The details and outcome of the investigation will also be recorded by the dedicated SSO on the 'Allegations against Staff' database on eDocs which provides a record of all allegations which can be searched and can be used to collate data.

Approved by:	
Date Approved:	
Date revised / adopted:	
To be reviewed:	
Available:	