

LONDON BOROUGH OF REDBRIDGE
ALLEGATIONS AGAINST STAFF OR VOLUNTEERS WHO WORK WITH CHILDREN
PROCEDURES

1. Introduction:

This local procedure outlines arrangements for responding to allegations made against professionals and volunteers working with children and young people in Redbridge. 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 2017 and Working Together to Safeguard Children 2018. http://www.londoncp.co.uk/chapters/alleg_staff.html#allegations

2. Receiving information and contacts:

Contact can be made with the LADO Monday - Friday from 9:00am to 5:00pm by emailing LADO@redbridge.gov.uk or phoning 020 87085350. Initial contacts will be taken on by the LADO or the duty LADO when she /he are not available. **Any suspected immediate risk to any child or children should be responded to immediately and the case referred to the Police on 999 or the Multi Agency Safeguarding Hub on 0208 708 3885 if the LADO cannot be contacted. If it is outside of normal working hours the Emergency Duty Team should be contacted on 020 8708 5897.**

The LADO will offer advice as appropriate to the referrer as to any immediate steps that should be taken to safeguard a child/ren. Agreement will be made between the LADO and the referrer as to whether the information reaches the LADO thresholds. The referral will usually be made by the Safeguarding Lead or Designated Safeguarding Officer; however the LADO can accept information from any individual.

3. LADO Review

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.**

In addition, these procedures should be applied when there is an allegation that any person who works with children:

- **Has behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include arrest for possession of a weapon;**
- **As a parent or carer, has become subject to child protection procedures;**
- **Is closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the member of staff is responsible in their employment/volunteering.**

The LADO will assess the information based on the London Child Protection Procedures 2017 and will make a decision within 1 working day in regards to whether the information meets the threshold. If the matter does not meet the LADO threshold then an e-mail will be sent to the referrer with a summary of the information shared, and confirmation that the matter will be recorded as a consultation and provide further advice in respect of any next steps that the referrer may need to take. This will be recorded as a consultation on a confidential running recorded in the LADO files, under the name of the employer.

4. Management of Allegations:

If the threshold, within the criteria above is met, the LADO will request that a referral form be completed by the referrer of the incident/ disclosure made including the date, time, and details of persons present and what was said.

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.

If there is any indication that a crime might have been committed the LADO will send a notification (Form 87A) to the Police Child Abuse and Investigation Team for their consideration. Arrangements will also be made for an Allegations Against Staff and Volunteers meeting to be held.

Discussions between the LADO and the employing organisation will confirm who, within the employing organisation, will inform the subject about the allegation that has been made and what level of information can be shared (not usually the child's name at this stage) with the subject. Information will not be shared with the alleged perpetrator if this places a child at further risk or if sharing information at this stage is likely to impact upon any Police investigation. The subject should be advised to contact their professional association and/ or Union and advice should be obtained from Human Resources to consider any support that may be available for the subject as well as any immediate disciplinary procedures.

If the initial information is unclear, or does not meet the criminal thresholds or thresholds for Social Services involvement, then the LADO will agree with the employer that an internal investigation will be completed and the outcome feedback to the LADO. The LADO will agree with the employer in writing what actions should be taken during the investigation and any particular issues that need to be considered.

Where an allegation is made against an adult who works with children and young people, within their personal life, then the LADO will consider, along with the referrer, whether it is appropriate to share the information with the individual's employer. This should ensure that the sharing of the information does not impede on the individual's rights pursuant to Article 8 Human Rights Act 1998. If the information does not meet the "pressing needs" test then the LADO will not contact the employer and no further action will be taken. Examples of occasions when the LADO would make contact with the individual's employer would be if the person's children become subject to a Child Protection Plan, or if they are charged with a relevant offense.

Where an allegation is made against an adult who works with both children and vulnerable adults the LADO will make contact with the Safeguarding Adults 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 Staff and Volunteers Meeting.

5. Jurisdiction:

Allegations will be dealt with by the Redbridge LADO where the alleged incident took place within Redbridge, or where an allegation is made against an adult in their personal life and they work with children in Redbridge.

All allegations, including historic allegations, will be responded to.

6. Allegation against Staff and Volunteers Meetings:

Once the LADO decides that an Allegations Against Staff and Volunteers meeting will be arranged all of the relevant attendees will be invited. This should include:

- The Designated Senior Manager of the employing organisation
- Child Abuse Investigation Team (Police)
- A representative from the HR section of the employing organisation
- A social worker from MASH or the allocated Social Work Team (if relevant)
- Designated or named Safeguarding Children Health Professional when the allegation or concern relates to a health agency professional/ worker

- Ofsted, where the allegation or concern relates to a child care provision for children under the age of 8 or where the allegation is against a registered child-minder.
- 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.

The Allegation against Staff and Volunteers Meeting constitutes a strategy meeting for the case and therefore the subject and parents of the victim are not invited.

The meeting will consider the following matters:

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. Put 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 can be shared, with whom and when and any shielding of Children's Social Services or other agency records will be required.
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 subject of the 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.

It is vital that at all stages of the process the person/ people responsible for communicating with the family are clearly identified and that they keep all parties informed of the progress of any internal or statutory investigation in relation to the investigation. Consideration will be given to the support that the child and family may need as a result of the allegation and throughout the process of investigation.

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 of harm. Consideration will be given to support that the subject needs throughout the process of the investigation through; HR, their professional body, and/ or their union.

The management of some allegations will require more than one Allegation against Staff and Volunteers Meeting. Subsequent meetings should be arranged preferably two weeks after the previous meeting, and up to four weeks in more complex cases depending on the nature of the case and whether a police investigation is ongoing. This will allow for further discussions to take place as soon as agreed actions have been completed.

7. Decision making

Upon the completion of the investigation the LADO will gather the views of all of the relevant professionals in respect of the appropriate outcome for the case. This will either be done within a final ASV review meeting, or via e-mail. The attendees of any 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.

The possible outcomes of a LADO investigation are as follows:

- **Substantiated:** There is sufficient evidence to prove the allegation that a child has been harmed or there is a risk of harm.

If the facts of the incident are found to be true but it is not found that a child has been harmed or there is a risk of harm, then consideration should be given to deciding that the outcome is 'unsubstantiated' or 'unfounded'.

- **False:** There is sufficient evidence to disprove the allegation, however, there is no evidence to suggest that there was an deliberate intention to deceive.

False allegations may be an indicator of abuse elsewhere which requires further exploration. If an allegation is demonstrably false, the employer, in consultation with the LADO, should refer the matter to LA children's social care to determine whether the child is in need of services, or might have been abused by someone else.

- **Malicious:** there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false.
- **Unfounded:** The additional definition of 'unfounded' can be used to reflect cases where 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 the circumstances.

The Chair of the meeting / discussion should make a record of the agreed outcome and forward this to the employer.

- **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.

- **Lessons Learned:** Throughout all investigations all of the relevant professionals involved will consider whether any improvements should be made to the practice and procedures within each organisation and this should be reflected in the ASV minutes.

Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

Any serious dispute regarding decisions that cannot be resolved should be escalated to the Service Manager for Safeguarding and Quality Assurance, and managed as per the Redbridge Local Safeguarding Childrens Board Escalation and Resolution Policy (<http://www.redbridgelscb.org.uk/professionals/what-should-you-do-when-there-is-a-professional-disagreement-about-a-child/>).

At the conclusion of the process a letter will be sent to the subject of the investigation to advise them of the outcome. A decision will be made at the Allegations Against Staff and Volunteers Meeting as to who this letter will come from.

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) and/or the relevant regulatory agency for their consideration. The Employer should confirm with the LADO when the referral has been submitted before the case is closed.

8. Further Information and Guidance

Please refer to the LADO Threshold Document for guidance on thresholds. The Information Sharing Agreement and Privacy Notice provide information on data protection, the storing and sharing of information.

Helen Curtis

Local Authority Designated Officer

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