

## Guide for employees and volunteers who work (paid or unpaid) with children in any setting

### What is a LADO?

The Local Authority Designated Officer (LADO) is a statutory role. The role and responsibilities are set out in Working Together 2018 and the process is set out in the West Yorkshire Consortium Inter Agency Safeguarding and Child Protection Procedures, endorsed by Kirklees Safeguarding Children Partnership (KSCP).

The LADO's primary function is to oversee and co-ordinate any investigation into an incident where an allegation of abuse or harm has been made against a professional or volunteer who has contact with children in any setting or activities.

We recognise that this may be a difficult and distressing time for you and your family. We understand that the impact of an allegation of abuse or harm can have far reaching implications for you, your family, and your career as well as for the child concerned.

We are committed to over-seeing a fair, thorough and timely investigation, and proportionate outcomes for all those subject to the process.

### What happens when an allegation is made, or a concern is raised?

Every organisation that works with children should have a manager or Designated Safeguarding Lead (DSL) responsible for progressing allegations.

When an organisation becomes aware of an allegation or concern around a person behaviour towards children the LADO must be contacted within one working day or the next working day.

Your employer, at a point to be agreed with the LADO, will inform you that an allegation has been made in relation to you.

If there is cause to suspect a child is suffering or likely to suffer harm, or a criminal offence might have been committed, an Allegation Management Meeting (AMM) may be held, which involves other agencies or safeguarding partners, the Police, your employer, children's social care (CSC) and other agencies as appropriate.

The aim of the AMM is to share relevant information and determine next actions or if an investigation is necessary and who this is conducted by:

- the CSC under child protection procedures
- the Police regarding possible criminal offences
- your employer – disciplinary/low level concerns.

If there are any issues in your personal life, which may be relevant to your role at work, an evaluation will be made by the LADO, to decide if the information needs to be shared with your employer.

If it is believed that a child is at risk of harm, details will be shared with your employer straight away and you may not be contacted beforehand.

If there doesn't appear to be an immediate risk, it is likely that you would be offered the chance to share the information with your employer in the first instance. The LADO will then contact your employer to confirm they are aware of the concerns.

### What is an allegation?

An allegation or concern is 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 in a way that indicates he or she 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.

An allegation can arise in connection with your work, your own children or other children living outside the family and can relate to current or historic concerns including your conduct outside of work.

It can be made:

- directly or indirectly by the child
- by a complaint or a concern being expressed to your employer/ Headteacher/ manager/ children's social care or the police
- a report from a colleague or another agency
- anonymously
- via the NSPCC, Ofsted, or other regulatory body.

### What you can expect

The process is managed by a member of the LADO Service, and you will be notified and kept informed by your employer of developments as soon as is reasonable depending on the extent and nature of the investigation.

Any allegation and resulting investigation which meets the threshold of harm or risk of harm to children will be reported to children's social care and the police which can result in:

- a police investigation into a possible offence
- enquiries and risk assessment by children's social care and the police
- an internal employer disciplinary investigation.

The process will be conducted in a fair and timely manner to ensure that it is thorough and all parties' views including your own are represented and shared as part of the investigation undertaken by the police, social care, and your employer.

On completion a recommendation will be made on whether the allegation is substantiated.

Depending on the severity of the allegation and extent of the investigation you may not receive full details of the investigation

until a decision is made by the police as to whether you will be interviewed.

## What support may you have access to?

Everyone who is the subject of an allegation will find it stressful and must be offered support by your employer (or the organisation acting in the role of employer).

Your employer should:

- provide a named support person who will keep you up to date with any progress as appropriate/timely.
- advise you to speak with your professional association or trade union.

It is important that you take support and/or seek support via your GP if you feel your health and general functioning are affected.

## Who will be notified about the allegation/investigation?

Every effort is made to keep the process as confidential as possible and guard against any publicity whilst an allegation is being investigated. However, it is usual to keep a small number of people informed that an allegation has been made and the likely course of action including:

- the child and their family/carers and any party making the allegation
- you, at the appropriate time via your employer or the organisation acting as your employer
- your manager and in schools, Head Teacher, /DSL and/or the Chair of Governors
- potentially Ofsted and/or your regulatory body
- DBS
- your immediate adult family members if a Social Work Assessment is required.

It may be necessary if it's in the public interest for a short press statement to be issued where the allegation has become common knowledge or subject to speculation.

It will equally be important to identify circumstances within education referrals where it is prohibited to publish any information.

## Timescales

Cases should be dealt with as quickly as possible, consistently, and as openly as possible. Government guidance sets out target timescales, but these will depend on factors such as nature, seriousness, and complexity of the allegations/concerns. Your case will be monitored to avoid unnecessary delays.

## Alleged Criminal Offence

In some instances the Police may decide to proceed with a criminal investigation. You may be arrested and interviewed under caution or invited to assist with their investigation.

## Employment processes

Whilst the LADO considerations are proceeding, this may affect your employment or volunteer status and if the risk is unmanageable, you may be suspended, or your duties varied to ensure that any identified risks are minimised, towards children and yourself.

If you are a supply/agency worker or volunteer, the placing agency should be involved and co-operate in any investigation.

If disciplinary procedures do not apply, an investigation/formal process may still be necessary to assess if you are suitable to work (paid or unpaid) with children.

## What if I am dismissed or decide to resign?

If you leave a position of trust, are dismissed because of a safeguarding concern, your employer/organisation has a statutory duty to refer you to the DBS for consideration as to whether barring you from working with children is appropriate.

If you resign during the process, your employer/organisation is still obliged to complete the internal disciplinary process and if found substantiated, to refer you to the DBS.

If you are a member of a professional regulatory body, a referral will also be made to them in respect of all substantiated allegations.

## What will be recorded about me?

Information will be recorded in multi-agency discussions and Allegations Management Meeting (AMM) minutes.

Information will be recorded where a Police National Computer (PNC) record is made even if the allegation against you did not result in a caution or conviction. This information may appear on an enhanced DBS check at the discretion of the Disclosure Officer, who is employed by the police.

The details will remain on your personnel file and be reflected, if substantiated, in a reference.

If the allegation is substantiated, no compromise agreement can be reached between you and your employer, that include any confidentiality clause.

A clear record of the concern allegation and outcome will be held by your employer, please clarify with your employer their retention period. Other agencies will have their own retention schedules.

## Will I be informed of the outcome?

Your employer will be informed of the outcome from the LADO, it is the responsibility of your employer to communicate the LADO outcome to you.

Depending on the scope and scale of the investigation, it may be necessary to hold more than one strategy discussion and/or Allegation Management Meeting. At the end of the process a recommendation will be made in conjunction with your employer, social care, and the police to determine, if on the balance of probabilities, you pose a risk to children and your suitability to work with children in your current employment/activity.

Where an allegation is substantiated, your employer must share this within all future references.

## Key information

- Your organisation's Safeguarding Policy and codes of conduct
- Working Together 2018
- Keeping Children Safe in Education 2023
- Disclosure and Barring Service guidance

## Need more help?

Please speak to your manager or identified lead safeguarding officer who will be your main contact point during this process.

Please speak with your appointed representative from your professional association or trade union.