



Allegations Against Staff, Carers and Volunteers

All organisations providing services to children (anyone under 18years old) must ensure that those who work with or on behalf of children and young people are competent, confident and safe to do so. Likewise anyone who comes into contact with children and young people in their work has a duty of care to safeguard and promote their welfare.

The vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for children and young people in their care. However, it is recognised that in this area of work tensions and misunderstandings can occur. It is here that the behaviour of adults can give rise to allegations of abuse being made against them. Allegations may be misplaced or malicious. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned.

Equally, it must be recognised that some allegations will be genuine and there are adults who will deliberately seek out, create or exploit opportunities to abuse children. It is therefore essential that a clear process exists for the investigation and resolution of allegations made for the benefit of all concerned.

Who is covered by the allegations against staff process?

This process covers all persons working within the children's workforce in either a paid or unpaid capacity and includes volunteers. This includes anyone working in a health, education, social care, foster carer, faith groups or voluntary sector service setting as well as any other service provided to children. An adult may have more than one role working with children and their suitability must be considered in whatever capacity they are working with children.

Who is responsible for the allegations against staff process in Rutland?

The process is managed by Rutland's LADO (Local Authority Designated Officer). All local authorities must have a designated officer who is responsible for

- managing individual cases
- providing advice and guidance
- liaising with police and other agencies
- monitoring progress of cases for timeliness, thoroughness and fairness.

The LADO can be contacted as follows:

Rutland County Council
Catmose, Oakham, Rutland
LE15 6HP

LADO Tel: 01572 758454

email : LADO@rutland.gov.uk

When is it necessary to contact the LADO?

All organisations providing services for children, including those who provide paid staff or volunteers to work with or care for children should inform the LADO if allegations are made within one working day, where it is alleged that someone 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 or children in a way that indicates that they may pose a risk of harm to children
- Behaved or may have behaved in a way that indicates they may be unsuitable to work with children

The LADO can also be contacted for advice regarding concerns or suspicions about behaviour towards children by staff within Rutland's children's workforce.

What happens when I contact the LADO?

Referrers will be asked to complete a contact/referral form and where necessary provide other supporting information. The LADO will then complete an initial evaluation and provide advice regarding the pathway to be followed to resolve the allegation.

The LADO will advise the employer whether or not informing the accused person will impede the investigative processes. Acting on this advice, if it is agreed that the information can be fully or partially shared, the employer should inform the accused person.

If you are concerned that a child may be at risk of immediate harm do not wait for a response from the LADO and contact Rutland Children's Services Trust or the Police immediately.

In some circumstances, the parent/s may need to be told straight away (e.g. if a child is injured and requires medical treatment).

The parent/s and the child, if sufficiently mature, should be helped to understand the processes involved and be kept informed about the progress of the case and of the outcome where there is no criminal prosecution. This will include the outcome of any disciplinary process, but not the deliberations of, or the information used in, a hearing.

The employer should seek advice from the LADO, the police and / or LA children's social care about how much information should be disclosed to the accused person. Subject to restrictions on the information that can be shared, the employer should, as soon as possible, inform the accused person about the nature of the allegation, how enquiries will be conducted and the possible outcome

The LADO may also need to hold an allegations management meeting and will need to ensure that the relevant people are invited to it and any follow up meetings to ensure that the full scope of the enquiry can be effectively addressed. This will include an invitation to the employers Senior Manager unless there is good reason not to do so.

A LADO allegations discussion or initial evaluation can be conducted by way of a series of telephone calls but an allegations management meeting it should take the form of a face-to-face (or online Teams) meeting with all key professionals and the employer with a dedicated minute taker wherever practicable.

The LADO will normally chair the allegations management meeting and the participants should be sufficiently senior to contribute all

relevant available information about the allegation, child and accused person and be able to make decisions on behalf of their agencies.

The LADO should regularly monitor the progress of cases either by:

- Holding review allegations management meetings;
- or
- By liaising with the police and/or children's social care, employers and any other relevant parties.

A final allegations management meeting should be held at the end of enquiries to ensure that all tasks have been completed and where appropriate to agree an action plan for learning lessons in order to inform future practice.

There should be an identified outcome for all allegation investigations:

Substantiated: there is sufficient evidence to prove the allegation;

False: there is sufficient evidence to disprove the allegation;

Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;

Unsubstantiated: this is not the same as a false allegation. It means that there is insufficient evidence to either prove or disprove the allegation; the term therefore does not imply guilt or innocence;

Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.

Will suspension be necessary?

Decisions about suspension are made on a case by case basis and depend on the nature and seriousness of the allegation. Whilst the LADO can offer advice only an employer may make a decision to suspend a staff member. Many people subject to allegations are not suspended although their working arrangements may be adjusted whilst the matter is followed up.

The possible risk of harm to children posed by an accused person needs to be evaluated and managed effectively - in respect of the children involved in the allegations, and any other children in the individual's home, work or community life. In some cases, this requires the employer to consider suspending the person. Suspension should be considered in any case where;

- There is cause to suspect a child has suffered, or is likely to suffer significant harm; or
- The allegation warrants investigation by the police; or
- The allegation is so serious that it might be grounds for dismissal.

People must not be suspended automatically or without careful thought and it should not be considered as a default option. Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children until the allegation is resolved.

How long will an allegation take to investigate?

It is important that allegations are investigated as quickly as possible for all concerned. Initial evaluations by the LADO begin immediately and initial advice is given within a few days and usually concluded within a month. More

complex investigations or those involving the police can take longer but the LADO is expected to monitor these for timeliness and assist in resolving delays where possible.

Key points

- Regardless of the nature of allegations and who receives the allegation, it must be reported to the LADO. This must include situations where the worker resigns. Compromise agreements are not acceptable in such circumstances and may put others at risk in the future.
- Complaints procedures are separate to the allegations process and just because someone does not wish to make a complaint, this does not mean the allegation should not be considered and investigated.
- Any allegation is likely to cause anxiety and distress to all those involved. Early contact with the LADO for advice and guidance will assist with the process and ensure that support is considered at the earliest opportunity.
- It is extremely important that when an allegation is made, the organisation makes every effort to maintain confidentiality. This is important for both the adult who has been accused and for the child(ren) concerned.
- There is a legal requirement for organisations to make a referral to the DBS (Disclosure and Barring Service) where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child. This applies even if that person has subsequently resigned or the organisation no longer uses their services.

A copy of the full procedures for Responding to Allegations Against Persons who Work with Children can be found at:



https://llrscb.proceduresonline.com/p_all_eg_staff.html



Rutland
County Council

If you are concerned that a child may be at risk of immediate harm do not wait for a response from the LADO and contact Rutland Children's Services or the police immediately

**Rutland Children's Services
01572 758407**

**Police
phone 101 or in an emergency 999**