Achieving for Children

Allegation management procedures for staff and volunteers working with children

These procedures have been informed by the Pan Berkshire Safeguarding Children Procedures, the London Safeguarding Children Procedures Chapter 7, and part four of the Department for Education's 'Keeping Children Safe in Education' (KCSIE) guidance.

They are designed to ensure that allegations against staff and volunteers are managed promptly, fairly, and consistently, in line with statutory guidance and best practice.

1. Criteria for local authority designated officer (LADO) oversight

These procedures apply to all individuals working or volunteering with children in any capacity, whether paid, unpaid, permanent, temporary, agency, or contracted.

They cover concerns or allegations where an individual may have:

- 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 they 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, regardless of whether the behaviour occurred in a professional or personal context
- behaved in a discriminatory way that raises concern about their suitability to work with children, including racism, sexism, ableism, or other forms of prejudice

In addition to the core criteria above, further safeguarding concerns that should trigger action include:

- engaging in grooming behaviour, either online or in person
- using inappropriate sexualised, discriminatory, or exploitative language or conduct with children
- behaving in a discriminatory way towards children or colleagues, including racism, ableism, homophobia, transphobia, or other forms of prejudice
- crossing professional boundaries, such as developing overly familiar or secretive relationships with children

- failing to report or respond appropriately to a safeguarding concern involving a colleague or another professional
- displaying patterns of concerning low-level behaviour that, when considered together, may meet the threshold for further investigation
- possessing, viewing, or distributing indecent images of children
- using position of trust to gain access to children or vulnerable individuals in an inappropriate manner
- accessing inappropriate online content on work or personal devices that could suggest risk to children
- substance misuse or mental health issues that compromise professional judgment or pose a risk to children
- any behaviour in private life that calls into question their suitability to work with children (for example, child protection or safeguarding children services involvement, domestic abuse, safeguarding failures as a parent or carer)

This list is not exhaustive and includes any concerns around an individual's conduct that indicates they may pose a safeguarding risk to children.

Safeguarding concerns that indicate actual or potential risk of harm are considered in line with the four main categories of abuse and neglect:

- sexual
- physical - including physical restraints
- emotional
- neglect

Safeguarding concerns around professional conduct and suitability that do not fall squarely with these categories should also be referred to the LADO.

It is important to note that the LADO has oversight of cases where there is an indication of risk and harm, not only cases where there is evidence of significant harm.

These concerns may arise in various ways, including:

- direct disclosures by children or young people
- observations by colleagues, parents, or members of the public
- concerns raised via internal safeguarding processes
- reports from external agencies, such as police or social services

All concerns should be taken seriously and considered in light of the need to safeguard children and promote their welfare.

2. Roles and responsibilities

Designated manager for allegations

Each organisation must have in place a designated manager for allegations (DMA) who has responsibility for managing safeguarding allegations or concerns around adults working within their organisation. The designated manager must hold a senior position within the organisation and could be, for example, a registered manager, responsible individual, headteacher, or designated safeguarding lead.

The designated manager for allegations should:

- act as the first point of contact for safeguarding concerns or allegations
- liaise with the local authority designated officer
- ensure internal policies and procedures are followed and adhered to
- keep detailed, secure, and confidential records of all concerns and actions
- provide support and guidance to staff raising concerns

Local authority designated officer

The LADO manages and oversees all allegations against adults working with children. Their responsibilities include:

- providing advice and guidance to employers and voluntary organisations
- ensuring allegations are handled promptly and in line with statutory guidance
- liaising with relevant agencies, including the police and children's social care
- chairing strategy meetings and ensuring effective multi-agency communication
- monitoring the progress of cases to ensure resolution without undue delay
- identifying local themes and trends and learning from cases
- identifying training needs

3. Reporting and initial action

Immediate reporting

Any staff member or volunteer must report allegations or safeguarding concerns involving colleagues immediately to the designated manager for allegations. If the allegation concerns the designated manager, the concern should be reported to a more senior leader, the chair of the governing body or trust, or directly to the LADO.

Initial consideration

On receiving the report, the designated manager for allegations must have a telephone consultation with the LADO or submit a LADO referral within 24 hours. The LADO will determine:

- whether the concern meets the threshold for LADO involvement
- the level of risk posed to children
- whether immediate protective action is required
- whether there is a need for a risk assessment
- whether a children's social care referral is required
- whether a police referral is required
- whether a LADO 'allegation against staff and volunteers' (ASV) meeting is required

4. Investigation process

Police and children's social care

If the allegation or concern indicates a crime may have been committed, the LADO will make a referral to the police for a police decision about whether or not the threshold has been met for a police investigation.

If a child is thought to have suffered or is likely to suffer harm, the LADO will advise the referrer to make a referral to the Multi-Agency Safeguarding Hub (MASH) or Single Point of Access (SPA).

Strategy meeting

If a child is thought to have suffered or is likely to suffer significant harm, a referral is made to SPA/MASH and a strategy meeting is convened and chaired by children's social care. The strategy meeting brings together relevant professionals including the police and the LADO to assess whether the child has suffered significant harm and agree on an investigative approach. The focus of the strategy meeting will be safeguarding the child concerned. The strategy meeting:

- shares information from relevant agencies
- assesses the level of risk to children
- agrees on appropriate actions, police involvement, or child protection procedures

LADO allegation against staff and volunteers meeting

LADO ASV meetings are held when the threshold for LADO involvement and ongoing oversight has been met. The LADO ASV meeting is convened and chaired by the LADO and attended by the police, social care, employer, and human resources (HR). The meeting will

agree and co-ordinate what actions are required and by which agency. The focus of the meeting is the adult about whom there are concerns.

Decisions will be made about:

- speaking to the child and their carers
- notifying the individual subject to the allegation
- safeguarding the children involved or implicated
- risk assessment by the employer
- other children, such as the individual's own children

Not all cases with LADO oversight and involvement will require a LADO ASV meeting.

Suspension

Suspension is a precautionary measure and not a presumption of guilt. It may be considered when:

- there is an ongoing police or social care investigation
- the child or other children may be at risk
- an ongoing management investigation is at risk of being compromised
- the allegation is so serious that dismissal is a possible outcome

Alternatives to suspension should be considered, such as supervised duties or restricted access to children.

Management investigation

The LADO can advise the need for a management investigation:

- immediately following an initial consultation or referral and the relevant LADO checks
- following the conclusion of a social care investigation (joint with police or single agency)
- following the conclusion of a police investigation (joint with social care or single agency)

The LADO will advise the employer to seek support and guidance from their HR consultant when undertaking a management investigation. When the investigation has concluded, the employer will be required to share the investigation report and outcome with the LADO before it has been shared with the person under investigation. The LADO will read the report to ensure all safeguarding allegations or concerns have been robustly explored with appropriate outcomes and sanctions. The LADO will provide a LADO outcome based on the information and evidence contained within the investigation report.

It is important to note the LADO does not undertake investigations and is therefore not responsible for the investigation report, the investigation outcome, or any sanctions that have been applied including dismissal.

Investigations are carried out by children's services, the police, the employer, or regulatory body. The LADO co-ordinates and has oversight of the investigative response to reported concerns. The LADO must remain impartial and for this reason the LADO will avoid having direct contact with the alleged perpetrator or the alleged victim.

5. Outcomes and actions

Possible outcomes

On conclusion of the investigation, outcomes will be recorded as:

- **substantiated:** sufficient evidence exists to support the allegation
- **unsubstantiated:** evidence is insufficient to prove or disprove
- **unfounded:** evidence shows the allegation is false
- **malicious:** the allegation was deliberately invented or exaggerated
- **false:** there is sufficient evidence to disprove the allegation

Referral to Disclosure and Barring Service (DBS) and other regulatory bodies

Where a safeguarding allegation is substantiated and the person is dismissed or removed from work with children (or would have been if not resigned), the employer has a duty to refer them to the DBS. The employer may also be required to refer the case to regulatory bodies such as the Teaching Regulation Agency, General Medical Council, or Social Work England.

6. Record keeping and confidentiality

- All allegations must be recorded in writing, with clear timelines, decisions, and actions.
- Records should be kept confidentially and securely in line with data protection requirements.
- Information must only be shared with those who need to know to ensure the safety of children.
- Records of allegations must be retained until the individual reaches retirement age or for 10 years, whichever is longer.

7. Support for involved parties

Support should be made available to:

- **the child or children:** ensure access to appropriate safeguarding services, therapeutic support, and communication throughout the process
- the **accused staff member or volunteer**: provide access to a named point of contact, HR support, and legal advice

All parties should be treated with respect and sensitivity, and processes must uphold the principle of natural justice.

8. Low-level concerns

A low-level concern is any concern about an adult's behaviour that does not meet the harm threshold but may indicate a need for further monitoring or action. Examples include:

- being over-familiar or having inappropriate boundaries (such as, hugging children without clear purpose, offering special treatment)
- using poor judgment in conversations with children (such as, sharing overly personal information, inappropriate jokes)
- engaging in inappropriate use of social media (such as, friending students or young service users, liking suggestive posts)
- failing to maintain professional distance (such as, allowing or encouraging children to confide in them instead of following safeguarding protocols)
- regularly being alone with a child without transparency (such as, closed-door one-on-one meetings with no safeguarding rationale)
- ignoring or downplaying concerns raised by others
- dressing inappropriately for the work environment
- demonstrating favouritism towards particular children or groups
- breaching confidentiality without justification
- arriving at work under the influence of alcohol or appearing hungover

Organisations should:

- encourage reporting of low-level concerns
- maintain a central record of concerns
- consult with the LADO to determine whether the threshold for LADO involvement is met

9. Whistleblowing

All staff must have access to clear whistleblowing procedures. Individuals should be able to report:

- unsafe or poor safeguarding practices
- concerns about the handling of allegations
- systemic safeguarding failures

Staff must be protected from detriment or victimisation as a result of whistleblowing. Anonymous reporting should be permitted where necessary, and all concerns must be taken seriously.

These procedures are designed to promote a culture of vigilance, accountability, and child-centred safeguarding in all organisations working with children.

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Signed off by	Lorrisa Webber, Head of LADO Service

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Appendix 1: Quick guide to making a local authority designated officer (LADO) referral

An allegation or concern is raised about an adult working or volunteering with children, and is brought to the attention of the organisation's designated manager for allegations. The concerns indicate the adult 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 they 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
- behaved in a manner that discriminates against a child on the basis of one or more of their protected characteristics

The designated manager for allegations can immediately submit a LADO referral form, or call the LADO service on 07774 332675 for a consultation before submitting a referral form.

The LADO will respond within 24 hours to advise whether or not the concern meets the threshold for LADO oversight. All LADO advice is confirmed in writing to the designated manager for their records.

If the allegation or concern does not meet the threshold for LADO involvement and oversight, the LADO will confirm in writing there is to be no further LADO action.

If the allegation or concern does meet the threshold for LADO involvement and oversight, the LADO will advise next steps which may include:

- employer referral to the Multi-Agency Safeguarding Hub (MASH) or Single Point of Access (SPA) where children may have suffered or are at risk of suffering harm
- LADO referral to police if a crime may have been committed
- employer to undertake a risk assessment to identify risk to children, and other risks
- employer to take action to safeguard children and protect the adult from further allegation
- the need for a LADO 'allegation against staff and volunteers' ASV meeting
- employer to undertake management investigation

If there is to be no investigation by the police or children's social care, the LADO will refer the concerns back to the employer for internal management investigation.

If there is an investigation by children's social care or the police, these agencies will inform the LADO of the outcome. The LADO will advise the employer that they can begin their management investigation, which will take into consideration the outcome of the earlier investigation.

The employer will be asked to share the investigation report with the LADO, who will need to be satisfied the investigation has been thorough in exploring the safeguarding concerns, there is a clear outcome and any sanctions that have been applied are proportionate.

The LADO will provide a LADO outcome based on the information in the investigation report before closing the case.

Possible outcomes

On conclusion of the investigation, outcomes will be recorded as:

- **substantiated:** sufficient evidence exists to support the allegation
- **unsubstantiated:** evidence is insufficient to prove or disprove
- **unfounded:** evidence shows the allegation is false
- **malicious:** the allegation was deliberately invented or exaggerated
- **false:** there is sufficient evidence to disprove the allegation

Appendix 2: LADO procedure flowchart

An allegation is made against an adult working or volunteering with children, and is reported to the agency's or organisation's designated manager for allegations.

Within 24 hours, the designated manager submits a local authority designated officer (LADO) referral, or requests a telephone consultation with the duty LADO before submitting a referral form.

Within 24 hours or one working day, the LADO will provide advice around:

- action to safeguard the child or children potentially at risk of harm
- whether there is an indication that a crime may have been committed that needs to be reported to the police
- whether a referral to children's social care is required
- whether the employer needs to undertake a risk assessment
- whether the employer needs to undertake a management investigation
- whether a LADO allegations against staff or volunteers (ASV) meeting is to be convened

A police investigation will take priority and the employer will need to await the outcome of the police investigation before taking any management action.

A children's social care enquiry may be joint with the police investigation or it may be a single agency enquiry.

If there is no role for the police or children's social care, the LADO will advise the organisation or agency what action they need to take.

LADO to advise employer of next steps. This can include management action (training and or policy review), management investigation or no further action.

If there is a management investigation, the report is shared with the LADO with one of the following allegation outcomes:

- substantiated
- unsubstantiated
- false
- unfounded
- malicious