

This information leaflet provides a brief guide to the allegation's management process and the role of the LADO. If you are faced with an allegation against an employee or volunteer, working with or providing services to children & young people, the content summarises the procedure to follow. Failure to do this could place children & young people at risk of harm.

SECTION A: INTRODUCTION

This leaflet is about managing allegations of abuse made against individuals who work with children & young people in any setting. It is important that all allegations of abuse are treated seriously, in line with the South West Child Protection Procedures.

[South West Child Protection Procedures](#) or for schools the [Statutory Guidance](#).

The statutory duty to effectively manage allegations is covered by section 11, Children Act (2004) and is further highlighted in Working Together (2018) guidance - chapter 2, paragraphs 4-9, pp 58-59.

SECTION B: SCOPE

The scope of this leaflet covers a wider range of allegations than those which there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm. This leaflet should be used for guidance in respect of all cases in which it is alleged that a person who works with children has;

- Behaved in a way that has harmed or may have harmed the child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child in a way that indicates they may pose a risk of harm to children.
- *Behaved or may have behaved in a way that indicates that they may not be suitable to work with children (**ONLY** for schools)*

SECTION C: PROCESS

Step One

As an employer if you are made aware of an allegation against an employee or volunteer, which you believe meets any of the criteria (see Section B: 'SCOPE'), this should be reported to the 'designated senior manager' (DSM) for your organisation.

The DSM is responsible for dealing with such allegations (see South West Child Protection Procedures or for schools the statutory guidance) and should notify the Local

Authority Designated Officer (LADO) **within ONE working day.**

If the DSM is the alleged perpetrator it should be reported to whoever they are accountable to e.g. owner; director; trustee; chair of governors.

A notification to the LADO should be made by completing an Allegations Reporting Form (ARF) found on Somerset Safeguarding Children Partnership website:

www.sscb.safeguardingsomerset.org.uk/working-with-children/allegations-management

HOWEVER:

If the child is at risk of imminent danger you must phone the Police on 999. A referral must then be made to Children's Social Care through Somerset Direct.

If it is evident that the child has suffered significant harm or likely to suffer significant harm, a referral must be made to Children's Social Care through Somerset Direct.

Somerset Direct - Tel: 0300 123 22 24



Step Two

Following receipt of the ARF the LADO will determine which of the following three processes are required (if the allegations is serious then potentially all three processes will be followed):

- Child protection enquiries (Children's Social Care)
- Criminal investigation (Police)
- Internal investigation by the employer.

Step Three

The LADO will liaise with the employer to provide advice and guidance in relation to:

- Initial steps i.e. suspension / re-deployment; referral to CSC to consider the welfare needs of the child; involvement of the police or a formal investigation under the organisation's disciplinary procedure.
- How to inform the child's parents / carers.
- When to inform the employee or volunteer, that an allegation has been made that they have harmed a child. and how to manage this discussion.
- How the employer safeguards children throughout any investigation(s).
- What the employer can expect of the LADO and / or other agencies involved.

Step Four

The LADO will monitor any of the processes followed, including the internal investigation by the employer, and review further action as necessary.

The LADO will ensure the employer is kept up-to-date with any child protection enquiries or criminal investigation.

The LADO will record information and outcome of the processes and ensure where necessary, individuals are referred to the Disclosure & Barring Service and / or regulatory bodies e.g. Ofsted; Care Quality Commission - CQC.

To contact the Local Authority Designated Officer (LADO):

Tel: 0300 123 22 24

Email: sdinputters@somerset.gov.uk



KEY POINTS:

- Regardless of the nature of allegations and who receives the allegations it MUST be reported to the LADO. This must include situations where the employee / volunteer resigns. Settlement agreements are NOT suitable in such circumstances and may put other children at risk in the future.
- The organisation's Complaints Procedure is separate to the managing allegations process. If the complainant does not pursue a complaint this does not mean that the allegation should not be considered and investigated – liaise with the LADO in such circumstances.
- Upon conclusion of an internal investigation the LADO will, in consultation with the employer, agree one of the following DfE defined outcomes:
 - **Substantiated** - there is sufficient evidence to prove the allegation.
 - **Malicious** - there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.
 - **False** - there is sufficient evidence to disprove the allegation.
 - **Unsubstantiated** - there is insufficient evidence to prove or disprove allegation. The term therefore does not imply guilt or innocence.
 - **Unfounded** - there is no evidence or proper basis which support the allegation(s) being made.

If you have a concern about a child, please tell somebody who can help:

Somerset Children's Social Care

- Somerset Direct:
Tel: 0300 123 22 24
- If you are the designated safeguarding lead for your organisation you can get advice and guidance from Children's Social Care consultation line:
Tel: 0300 123 3078
9am till 4.00pm

To contact the Local Authority Designated Officer (LADO):

Tel: 0300 123 22 24

Email: sdinputters@somerset.gov.uk



Managing Allegations



A Summary for Employers