



The Acorns
Primary and Nursery School

Mutual respect

Equity

Inclusivity

Love

Allegations of Abuse Against Staff Policy

December 2023

Mission: Be The Best You Can Be

Vision: Providing A World-Class Start To Life

At The Acorns Primary & Nursery School, we are a Rights Respecting School where everyone is welcome - we have No Outsiders. We equip our pupils with the skills and knowledge they need to become positive, global citizens. During their time here, children develop into intrinsically motivated, life-long learners: they understand the value of working hard and they aspire to achieve.

Our pupils leave us with a strong, moral compass, comfortable in their own skin, and knowing their own minds. They are brimming with self-belief and self-worth and are capable of being in respectful, trusting relationships with others in their community.

Throughout their time at The Acorns, we instil the characteristics of effective learning. These allow our pupils to develop into confident, resilient, and independent adults, prepared to succeed in the modern world.

We achieve this vision through our daily mission - Be The Best You Can Be - and by remaining true to our core values of Mutual respect, Equity, Inclusivity and Love.

Values:

Mutual respect



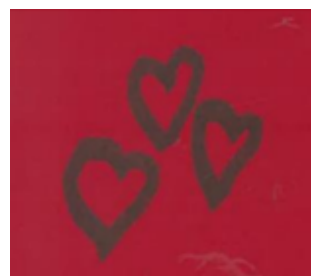
Equity



Inclusivity



Love



We are a Rights Respecting School with No Outsiders

Introduction

An allegation may be said to be information which comes to light suggesting a child may have been, or could be, hurt or harmed by an adult who holds a duty of care

All schools are under an absolute duty to promote and safeguard the welfare of children at the school, and to have regard to guidance issued by the Secretary of State in so doing. The Acorns Primary & Nursery School takes this responsibility seriously, and will ensure that any allegation of abuse made against a teacher or other member of staff or volunteer in the school is dealt with fairly, quickly and consistently, in accordance with the DfE guidance.

Article 19: Children must be protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them

1.0 These procedures are based on the Working Together to Safeguard Children (Revised July 2022) framework for dealing with allegations made against a person who works with or on behalf of children and should be applied when there is an allegation that a person who works or volunteers with a child 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 s/he is unsuitable to work with children whilst in connection with his/her employment, or voluntary or contracted activity.

1.1 However, these procedures may also be used where concerns arise about:

- A person's behaviour in their personal life which may impact upon the safety of children to whom they owe a duty of care
- A person's behaviour with regards to his/her own children
- The behaviour in the private or community life of a partner, member of the family or other household member

1.2 If an allegation relating to a child is made about a person who undertakes paid or unpaid care of vulnerable adults, consideration should be given to the possible need to alert those who manage her/him in that role. These procedures can also be applied if a complaint or an allegation is made against a person in relation to her/his work with adult service users, which causes concern about the welfare of an adult service user's children.

Compliance with these procedures should help ensure that allegations of abuse are dealt with expeditiously and are consistent with a thorough and fair process.

The LSCB and Local Authority ensure a **LOCAL AUTHORITY DESIGNATED OFFICER (LADO)** is identified who will:

- Be involved in the management and oversight of individual cases
- Provide advice and guidance to employers and voluntary organisations
- Liaise with the police and other agencies
- Monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process

2. Recognising and responding to an allegation

2.1 Allegations may arise from a number of sources including:

A child or an adult
A parent /carer
A member of the public

2.2 Agencies covered by these procedures should have in place their own policies, procedures and guidance relating to the conduct of their employees and they should be used to ensure compliance with these procedures

2.3 There are different procedures for responding to allegations and complaints. Care should be taken to ensure that the correct procedures are followed. As a general guide allegations refer to information or concerns which suggest a child or children have been avoidably hurt or harmed by an adult who owed them a duty of care [sometimes described as a person in a position of trust].

3. What to do if an allegation is made by a child or young person

3.1 The person to whom the allegation is reported must:

- Treat the matter seriously
- Ensure that, where necessary, the child/young person received appropriate medical attention
- Make a written record of the information using the Childs/Parents own words, including when the alleged incident took place, who was present; and what happened
- Sign and date written record
- Report the matter immediately to the SENIOR MANAGER, or deputy in his/her absence. Where the senior manager is the subject of the allegation a referral should be made to the LADO who can then advise about best way to proceed.
- Confidentiality must be maintained at all times

4. Initial action by the Senior Manager

4.1 The Senior Manager will:

- Obtain brief statements signed and dated by the person receiving the allegation
- Countersign and date the written details
- Record any other information and names of potential witnesses
- Establish a chronology of significant events
- Consider any information already known about those involved
- Discreetly check any incident or log books
- On the basis of these factors, make a professional judgement, and record the reason for any subsequent action taken.
- All members of staff in the school will be made aware of this policy during induction.

Article 3: The best interest of the child must be a top priority in all decisions and actions that affect children.

4.2 If the allegation meets, or appears to meet, any of the criteria in 1.0 or if unsure about the action to take the **SENIOR MANAGER** should consult the **LADO** as soon as possible but certainly within **1 WORKING DAY**. No action should be taken until this decision takes place, unless emergency action is required to safeguard or protect the child concerned, in which case the usual child protection procedures will take precedence. Contact with the **LADO** should not be delayed in order to gather information.

4.3 If an allegation requiring immediate attention is received outside of normal hours the **SENIOR MANAGER** should consult immediately with the Emergency Duty Team or Local Police. They must ensure they inform the **LADO** the next working day.

5. Responding to an allegation made to the Police or Social Care

5.1 If the police receive an allegation regardless of whether a crime appears to have been committed, the matter should be immediately reported to their designated officer who will inform the **LADO** immediately or in the case of out of hours, the next working day

5.2 If Social Care receives an allegation regardless of whether it reaches the section 47 threshold, the matter should be reported to the **LADO** within 1 working day.

5.3 Where the LADO receives information from the Police or Social Care which relates to an allegation they should immediately contact the Senior Manager concerned, unless they have been requested by the police not to do so.

6. Initial consideration by the Senior Manager and the Local Authority Designated Officer

6.1 The LADO should establish, in discussion with the SENIOR MANAGER that the allegation is within the scope of these procedures and may have foundation. There may be up to 4 strands considered as part of this consideration and the discussion will centre upon whether there is a need for:

- A police investigation because a crime has or may have been committed
- Enquiries and assessment by social care to determine if services or emergency actions are required
- There will also need to be consideration as to whether the subject of the allegation needs to be suspended from any contact with children. The decision to suspend will rest with the employer.
- If the person who has had an allegation made against them is a Foster carer, the needs of other children in placement as well as the child to whom the allegation relates, require careful consideration with other relevant Senior Managers, and in collaboration with all agencies a way forward determined to ensure the safety of all children ensured.

6.2 Agreement will be reached between the LADO and the SENIOR MANAGER which will include:

- A plan of action
- Agreement about informing parents if they are not involved
- How and when to inform the subject of the allegations
- Means by which LADO and SENIOR MANAGER will keep each other informed of developments.

6.3 If the allegation appears to have some foundation and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the Senior manager should immediately refer to children's social care i-ART (Integrated Access & Referral Team) on 01606 275099. They should advise i-ART (Integrated Access & Referral Team) that they have discussed the case with the LADO. A referral should generate a request to convene a CP Strategy meeting as soon as possible. This will include the police and should also include the LADO and the Senior Manager.

6.4 If the significant harm threshold is not reached but a police investigation might be needed a referral should still be made to i-ART (Integrated Access & Referral Team). They should advise i-ART (Integrated Access & Referral Team) they have discussed the case with the LADO. A referral should generate a request to convene a LADO Strategy meeting as soon as possible. The LADO should discuss with the police, the employer and any other agencies to evaluate the allegation and decide how it should be managed.

6.5 If the allegation is such that it is clear to the LADO that investigations by police and/or enquiries by social care are not necessary, or the strategy discussion or initial evaluation meeting decide this is the case, The LADO will discuss the next course of action with the employer.

6.6 Where there is disagreement about the course of action to be followed, the LADO will make the final decision which will be guided by what is in the best interests of the child/young person

6.7 Both the LADO and the Senior Manager must keep and maintain appropriate records and ensure there is a chronology of discussions, decisions and actions taken.

7. Actions Following the Initial Consideration between LADO and Senior Manager

7.1 Strategy meeting should take the form of a face to face meeting with a dedicated minute taker wherever possible.

7.2 When a strategy meeting or an initial evaluation is convened to consider an allegation against an adult who works with or on behalf of children, care should be taken to ensure the relevant people are invited to attend.

7.3 There is a need to be clear as to the purpose and function of strategy meetings with regard to the management of allegations.

Where there is a decision not to pursue any criminal or social care enquiries, there should be a clear and purposeful discussion as to why the behaviour of the individual causes concern.

Where it is the view that a case of unsuitability should be further investigated, the matter will then be referred to the employer for consideration of disciplinary action.

8. Recording of Strategy Meetings or Initial Evaluation discussions

8.1 The record of these discussions is an important working document and one which may at some time need to be shared with the individual concerned.

Care should be taken to ensure that any record contains

- Essential facts
- Summary of discussions which accurately reflect the contributions made
- The decisions reached, with information outlining the reasons for these decisions and
- A translation of these decisions into an action plan, which can inform any disciplinary action which may be taken

8.2 The recipient agencies and professionals should retain copies of these notes in accordance with their own record retention policies.

8.3 Should any decisions be subject to appeal, in some situations, the individual concerned will have a right to have access to any documents which have a bearing on his/her case. As such, care should be taken when producing minutes of strategy or initial evaluation meetings, to ensure that any personal details relating to a child or their family can be easily removed.

8.4 The LADO will regularly monitor the progress of cases through a regular review of strategy meeting and/or by liaising either with the police and/or children's social care, colleagues or the employer as appropriate.

8.5 A final strategy meeting should be held at the end of enquiries to ensure that all tasks have been completed and where appropriate, an action plan agreed for learning lessons to inform future practice.

9. Resignations and Compromise Agreements

9.1 The fact that a person tenders his or her resignation or ceases to provide their services must not prevent an allegation from being followed up in accordance with these procedures and a conclusion reached.

If a person tenders his or her resignation before the conclusion of an investigation an employer will make a referral to the Independent Safeguarding Authority (ISA).

If the employer fails to make a referral the LADO/Safeguarding Unit will make a referral to the Independent Safeguarding Authority.

9.2 A so called compromise agreement by which a person agrees to resign, the employer agrees not to pursue disciplinary action and both agree a form of words to be used in any future reference **must not** be used in situations which are relevant to these procedures. In any event, such an agreement will not prevent a thorough police investigation where appropriate.

Where a compromise agreement is considered, a strategy meeting needs to be called and safeguarding elements of any agreement considered.

If a compromise agreement is made the LADO will report this matter to:

- The LSCB
- OFSTED
- Any other regulatory body
- DBS
- The Secretary of State, Department for Education (DfE)

9.4 Every effort should be taken to ensure the individual concerned is given an opportunity to answer the allegation and make representations.

The investigations should continue to a conclusion, on the basis of any supporting evidence, even if the person refuses to cooperate or tender their resignation.

10 Disciplinary Process or Assessment regarding Unsuitability

10.1 The LADO and the designated senior manager should discuss and agree what action is appropriate in all cases where it is clear at the outset or decided by a strategy meeting that investigations by the police or enquiries by children's social care are not necessary.

10.2 Where the employer and LADO is informed by the police or the Crown Prosecution Service (CPS) that a criminal investigation and any subsequent trial is complete or that the investigation is to be closed without charge or a prosecution discontinued, a strategy meeting should be reconvened and there must be discussion between the LADO and the employer as to the next course of action. This should centre on the threshold of 'balance of probabilities' rather than the legal threshold of 'beyond reasonable doubt'

10.3 A lack of criminal investigation, charge or conviction is not an adequate defence for the adult who is the subject of a disciplinary hearing. There may be elements of an allegation which suggest a breach of expected or appropriate standards of behaviour or propriety even when no criminal activity is identified. A disciplinary panel, under these circumstances, is required.

10.4 The discussion between the LADO and the employer should consider any potential misconduct or gross misconduct on the part of the staff member and take into account information provided by the police and or children's social care and have due regard to the different standard of proof in disciplinary and criminal proceedings.

10.5 The options open to the employer range from taking no further action, to summary dismissal or a decision taken not to use the person's services in the future. The nature and circumstances of the allegation and the evidence and information available will determine which option is most appropriate.

10.6 Where the initial considerations concludes that the allegation does not involve a possible criminal offence, the matter will be passed to the employer for action who should decide upon appropriate action within **3 working days**.

10.7 If it is determined that a disciplinary hearing is required, without the need for a disciplinary investigation, a hearing can be held without further investigation. This must take place within **15 working days**.

10.8 Where further investigations are required, to determine if disciplinary action should be taken, the LADO will discuss with the employer who should undertake these. In some circumstances it may be appropriate for the disciplinary investigation to be conducted by a person who is independent of the employer to ensure objectivity. In all cases the investigating officer should aim to provide a report within **10 working days**.

10.9 On receipt of the report, the employer should decide within **2 working days** whether a disciplinary hearing is needed if so the hearing should be held within **15 working days**.

11 Sharing information for disciplinary purposes

11.1 If the police or CPS decide not to charge or decide to administer a caution, or the person is acquitted, the police should pass on all relevant information to the employer and LADO without delay.

11.2 If the person is convicted, the police should inform the employer and LADO immediately to enable the employer to take the appropriate action.

11.3 Individuals should be advised at the earliest opportunity that information may need to be shared with the employer/LADO if concern about risks to children remain and disciplinary action is later required.

12 Record Keeping

12.1 Employers should keep a clear and comprehensive summary of the case record on the person's confidential personnel file and give a copy to the individual.

12.2 The record should include details of how the allegation was followed up and resolved, the decisions reached and the action taken. It should be kept at least until the person reaches normal retirement age or ten years if longer.

12.3 The record will provide accurate information for any future reference and provide clarification if a future CRB disclosure reveals an allegation that did result in prosecution or conviction. This record will prevent unnecessary re-investigation if the allegation should resurface.

13 Monitoring Progress

13.1 The LADO will keep comprehensive records in order to ensure that each case is being dealt with expeditiously and that there are no undue delays.

13.2 This record will assist monitoring and evaluation of the effectiveness of the procedures and provide statistical information to the DfE as required.

13.3 The police can consult the Crown Prosecution Service (CPS) at any stage regarding the evidence needed to charge a person, but they should also set target dates for reviewing the progress if the investigation and consulting the CPS about charging, continuing or closing the investigation.

14 Action in respect of unsubstantiated allegations

14.1 Where there is insufficient evidence to substantiate an allegation the employer should consider what further action, if any, should be taken, parents and child/young person should be informed in writing as to the reasons why no further action will be taken. The individual against whom the allegations were made should be informed in writing and where necessary reference made to the employers guidance for safe practice.

15 Action in respect of unfounded or malicious allegations

15.1 Where an allegation has been determined as unfounded, consideration should be given as to whether the child or his/her family should be referred to children's social care to determine whether the child is in need of services, or may have been the subject of abusive behaviour by someone else.

15.2 If an allegation has been deliberately invented or is seen to be particularly malicious, consideration should be given as to whether the police should be asked as to whether action against those who made the allegation would be appropriate or advisable.

16 Referral to the Disclosure and Barring Service, or regulatory body

16.1 If the allegation is substantiated, and on conclusion of the case, the person is dismissed or the employer ceases to use the persons services, or the person resigns or otherwise ceases to provide his/her services, a strategy meeting should be reconvened to decide whether a referral to the Disclosure and Barring Service and /or a regulatory body is required.

A referral should still be considered in cases where an allegation is substantiated, but the employer does not dismiss or cease to use the persons services, or the person resigns or otherwise ceases to provide his/her services. It is the responsibility of the employer to make a referral to the Disclosure and Barring Service
The employer shall notify the person when a referral is made.

16.2 If a referral is appropriate the report should be made within one month of that decision having been made.

16.3 Employers shall notify the LADO/Safeguarding Unit when a referral is made.

If the employer fails to make the referral, the LADO/Safeguarding Unit will make a referral to the Disclosure and Barring Service.

Appendix 1: A Guide for Staff Faced with an Allegation of Abuse

This handout provides information for staff and volunteers who work with children and are faced with an allegation of abuse against them

Introduction

Any allegation of abuse is likely to cause anxiety and concern. This guide is intended to help you be as well informed as possible should you be faced with an allegation. It provides an explanation of the process and offers information about appropriate support and guidance.

Your employer's senior manager, responsible for dealing with allegations, should immediately consult i-ART (Integrated Access & Referral Team) who is responsible for the management and oversight of individual cases, if it is alleged that a member of staff or volunteer has:

- behaved in a way that has harmed a child, or may have harmed a child; or
- possibly committed a criminal offence against or related to a child; or
- behaved in a way that indicates s/he is unsuitable to work with children

You should be told about the allegation as soon as possible, but this may be delayed if Police or Children's Social Care need to agree what information can be disclosed. If the senior manager and LADO are clear that an allegation is demonstrably false, you should also be informed of this and told that no further action will be taken.

What happens next?

If there is cause to suspect a child has been, or could be, harmed or a criminal offence might have been committed, a strategy discussion will be held, involving Police, the LADO, your employer, Social Care and other agencies as appropriate. The aim of the strategy discussion will be to share relevant information, plan and determine whether an investigation needs to be conducted by:

- Social Care under child protection procedures
- Police regarding any possible criminal offences
- Your employer under disciplinary/capability procedures

Internal Investigations

Your employer may need to conduct an internal investigation in order to decide how to proceed. It may be conducted by a senior member of staff or by an independent person, depending on the availability of resources and the nature/complexity of the case. It may also need to be delayed so as not to prejudice possible criminal proceedings and investigation which usually have to take precedence. Your employer will inform you of this.

Volunteers and Supply Workers

If you are a supply worker or volunteer, the placing agency should be involved and co-operate in any investigation. If disciplinary procedures do not apply, an investigation may still be necessary to assess your suitability to work with children.

Resignations and Compromise agreements

Your employer should try to reach a conclusion regardless of whether you resign or otherwise cease to provide your services, or if you refuse to co-operate. They must not use a "compromise agreement," i.e. allow you to resign without disciplinary action and with an agreed reference.

Timescales

Cases should be dealt with as quickly as possible consistent with a fair and thorough investigation. Government guidance sets out target timescales, but these will depend on factors such as the nature, seriousness and complexity of the allegation. Your case will be monitored in order to avoid unnecessary delay. However, delays can often occur if criminal proceedings are taken.

Suspension

Suspension is a neutral act, not a sanction. It should not be automatic and alternatives should be considered. Your employer has the final decision, but should take into account the views of Police and Social Care if they are involved. Suspension should be considered in all cases where:

- there is cause to suspect a child is at risk of significant harm, or
- the allegation warrants a police investigation, or

- it is serious enough to be grounds for dismissal

If suspension is being considered, your own agency's procedures will apply and will normally involve an interview with you having the right to be accompanied by a Trade Union representative or a friend. If such a meeting does occur it is not an examination of the evidence but an opportunity for you to make representations concerning suspension. If you are to return to work after suspension, your employer should consider how best to manage this, e.g. mentoring.

Support

Your manager should advise you about seeking adequate support for yourself; this may include a range of things including:

- advice to contact your Union representative
- being given the name of a contact who will keep you up to date with progress of the case
- being given the name of a contact to keep you up to date with work activities if suspended (you should not discuss the case with colleagues)
- an offer of the services of the Staff Counseling Service and/or Occupational Health if available to your agency.

You are also advised to contact your GP if you feel your health is being affected.

Notifications

Confidentiality should be respected and people only told on a 'need to know' basis. If the matter becomes subject to speculation, your employer, after appropriate consultation, may need to issue a statement for parents, children or the public.

Record Keeping

A comprehensive summary of the case should be kept on your confidential personnel file and retained until normal retirement age or 10 years after the allegation, if longer. This includes allegations found to be without substance. You should be provided with a copy of the summary. Other agencies, if involved, will keep their own records.

Independent Safeguarding Authority

Your employer, and placing agency if appropriate, have a statutory duty to report details of the case to the ISA where an independent panel will consider the case of barring you from, or placing restrictions on, working with children or young people, if:

- you are dismissed for misconduct or because you are otherwise considered unsuitable to work with children, or
- you resign before a disciplinary process is completed and your employer considers that the evidence was sufficient to consider dismissal

If you are referred, you will be sent a letter explaining the process, including your right to make representation.

Alleged criminal offence

If police decide to investigate, you may be arrested or invited to assist voluntarily with the investigation. You should contact your Trade Union and/or a solicitor for advice. If arrested or interviewed, you should be cautioned: "You do not have to say anything but it may harm your defense if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence."

At the police station you will be entitled to free and independent legal advice. You can see a Duty Solicitor, but if you want to use your own make sure he/she specialises in criminal law.

If 'assisting with the investigation' and not under arrest, you should be told that you are free to leave if you wish to do so. If arrested, you will be seen by the Custody Officer who will explain your rights in detail, including the right to have someone informed and to consult and read the "Code of Practice" that covers treatment during detention and interview. The Custody Officer will maintain a record of your period of detention.

Following arrest you can usually be held for up to 24 hours, after which you must be charged or released. This can be extended up to 36 or 96 hours by a Superintendent or Magistrate, respectively, depending on the seriousness.

Decisions about charging rest with the Crown Prosecution Service (CPS) who act independently of the police. If you admit the offence, the CPS may advise a caution, i.e. a formal warning about your actions. A caution will be recorded by the police and may influence a decision about instituting proceedings should you offend again. A

caution could affect your ability to work with children in the future, and in sexual abuse cases could result in you being placed on the Sex Offenders Register. You should seek advice from your solicitor before agreeing to accept a caution.

If the CPS advises the police to charge you, this will be carried out by the custody officer. You will then either be released on bail to appear in court at a future date or kept in custody to appear at the next available court. The responsibility for the prosecution will lie with the CPS.

After criminal proceedings it may still be that your employer decides to take disciplinary action. In any case you will be informed of any proposed actions as soon as possible after completion of criminal proceedings.

At any time during an allegation investigation/enquiry please do ask questions if you are not clear what is happening or why.

Staff involved in making enquiries do recognise the anxieties raised by such matters but must ensure a fair and thorough approach at all times. If you feel this is not happening please do raise this with your manager.

APPENDIX 2



Cheshire West and Chester
Safeguarding Children
Partnership



ALLEGATIONS AGAINST AN ADULT WHO WORKS WITH CHILDREN

STRICTLY CONFIDENTIAL

THE CONTENTS OF THIS REPORT ARE NOT TO BE REPRODUCED, COPIED OR DIVULGED IN ANY WAY. INFORMATION IS NOT TO BE DISCUSSED WITH, OR REVEALED TO, PERSONS WHO ARE NOT REQUIRED IN THE INTERESTS OF A CHILD TO HAVE SUCH INFORMATION. ALL ENQUIRIES FOR THE USE OF ANY SUCH INFORMATION SHOULD BE MADE TO THE LOCAL AUTHORITY DESIGNATED OFFICER

REFERRAL FORM

Once completed please email directly to the Children's Safeguarding Unit within 24 hrs of the allegation being made.

E-mail: Internal: Safeguarding LADO (West) Internal or

External: safeguardinglado@cheshirewestandchester.gov.uk

1. ADULT AGAINST WHOM THE ALLEGATION HAS BEEN MADE

NAME			
D.O.B			
ADDRESS			
JOB TITLE			
EMPLOYER			
EMPLOYER ADDRESS & CONTACT DETAILS	TEL:		EMAIL:

2. REFERRER

NAME	
JOB TITLE	
ORGANISATION	
CONTACT DETAILS (Telephone and E-Mail Address)	
DATE OF REFERRAL	

3. CHILD'S DETAILS

NAME		
D.O.B		
ADDRESS		
IS THE CHILD KNOWN TO CHILDREN'S SOCIAL CARE?	Yes/No	Liquid Logic Number if known
IS THE CHILD IN THE CARE OF THE LOCAL AUTHORITY?	Yes/No	

***If there is more than one child directly involved please copy and paste the above so that all relevant children are identified.

4. NATURE AND DETAILS OF ALLEGATION

<p>PLEASE PROVIDE DETAILED INFORMATION ABOUT THE ALLEGATION AND ANY ACTIONS YOU HAVE ALREADY TAKEN. (Please do not refer to individuals by their initials)</p>
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OUTCOMES

For use by the Safeguarding and Quality Assurance Unit only

5. DISCUSSIONS AND ACTIONS

BRIEF RECORD OF DISCUSSION AND ACTIONS

6. DECISION

DOES THIS MATTER MEET THE CRITERIA FOR INVESTIGATION UNDER LADO PROCEDURES	YES/NO
PLEASE CLEARLY RECORD FINAL OUTCOME AND RATIONALE	

LADO OR THEIR REPRESENTATIVE WHO HAD OVERVIEW OF THE ALLEGATION		DATE:	
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APPENDIX 3



Guidance for Senior Managers regarding the Referral Process to the Local Authority Designated Officer [LADO]

INTRODUCTION

The procedures in Cheshire West and Chester Council for managing allegations or concerns about adults working with children provide an independent service that ensures at all referrals are appropriately monitored by the Local Authority Designated Officer [LADO]. This service will respond to concerns/allegations of "harm" and other concerns, which may render an adult unsuitable to work with children. The key principles of this service are that children are appropriately safeguarded, and that the process is proportionate, consistent, transparent and timely. The process of any investigation can be very difficult and stressful for those involved, and it is therefore crucial that support is offered for both the child/ren and adult/s involved.

Working Together to Safeguard Children states that each LSCB member organisation should have a named senior officer who has overall responsibility for:

- 1] Ensuring the organisation operates procedures for dealing with allegations in accordance with the guidance in Appendix 5
- 2] Resolving any inter-agency issues and
- 3] Liaising with the LSCB on the subject

Local authorities may also designate officers to be involved in the management and oversight of individual cases.

REFERRAL PROCESS (please also refer to Flow Chart)

If you have a concern or an allegation is made about a person who works with children, whether a professional, staff member, foster carer or volunteer and they 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 or
 - behaved towards a child or children in a way that indicates s/he is unsuitable to work with children, then the process outlined below should be followed:-
1. Your member of staff should first discuss this matter with you, the named senior officer in your organisation with responsibility for allegations management who will liaise with the LADO within the children's safeguarding unit. This will not necessarily be the line manager for the staff member. If, however the concern/ allegation relates to the named senior officer, then the concern/allegation should be notified to another senior officer within the organisation, who would then liaise with the LADO.
 2. If the concern/allegation meets the criteria set out in Cheshire West and Chester's Local Safeguarding Children Board Procedures http://www.cheshirewestlscb.org.uk/?page_id=3221, then the named senior officer must make contact within one working day with the LADO. The **LADO** contact details are: **0151 337 4570**. The LADO together with the conference chairs operate a duty system to ensure advice and guidance is available when an initial discussion can take place regarding how the matter will be progressed.

3. If it is agreed that it is an appropriate referral to the LADO, then a referral form, (available at http://www.cheshirewestlscb.org.uk/?page_id=3221) should be completed by the referrer and sent immediately to the Safeguarding Unit.

safeguardinglado@cheshirewestandchester.gcsx.gov.uk

4. If a strategy meeting or discussion is required, it will normally be chaired by the LADO, or Independent Conference Chair.
5. There are six possible outcomes to a referral being made:
 - The referral does not meet the threshold for investigation
 - The referring agency undertakes their own investigation within agreed timescales and advises the LADO of the outcome
 - The LADO assists the referring agency with an investigation (i.e. in the voluntary sector or for the purpose of independence) within agreed timescales.
 - A social worker from children's services social care undertakes an investigation regarding "significant harm" as defined in Section 47 of the Children Act (1989) within agreed timescales
 - A social worker from the appropriate Local Authority social care service assists with some investigative functions where there are concerns about harm to a child.
 - A criminal investigation is conducted by the Police, working with other relevant agencies.
6. Each case will be reviewed monthly in accordance with the 'Working Together to Safeguard Children' 2006 [Appendix 5, Revised 2010] and LCSB Procedures by the LADO, to monitor progress and ensure that matters are appropriately progressed.
7. As the named senior officer in your organisation, you will be informed about whether a referral has been accepted, and if so, you will be kept informed of the progress of the case. A representative of your organisation would be invited to participate in the strategy meeting/discussion. On completion of the investigation you will be informed of the outcome of the investigation.

The Local Authority Designated Officer is Paul Jenkins –

<https://www.cheshirewestlscb.org.uk/policy-and-procedures/allegations-management-lado/>

FLOW CHART FOR REPORTING ALLEGATIONS AGAINST ADULTS WORKING WITH CHILDREN

