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**Are you concerned about an adult working or volunteering with children?**

**Information about referral to the LADO**

Southend-on-Sea City Council LADO (Local Authority Designated Officer)

**What is the role of the Southend LADO?**

The role of the Local Authority Designated Officer (LADO) was initially introduced within ‘Working Together to Safeguard Children’ guidance in 2006 and has been developed over time to meet changing national guidance.

The procedures for dealing with allegations against adults working or volunteering with children are detailed in the statutory guidance ‘Working Together to Safeguard Children’ and the local Southend, Essex & Thurrock (SET) Safeguarding and Child Protection Procedures (chapter 7).

Follow this link <https://safeguardingsouthend.co.uk/downloads-children/> (link to procedures on this page)

The LADO is specifically involved in cases where there is a concern or allegation that someone working or volunteering 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 towards a child or children in a way that indicates they may pose a risk of harm to children; or
* Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The Southend LADO gives advice and guidance on how concerns or allegations should be investigated in respect of **adults working or volunteering with children** in the Southend City Council area.

This is distinct from general safeguarding concerns for a child and allegations made by children against other children, which is not the remit of the LADO, and should be referred to the Southend Children’s Single Point of Contact Team on 01702 215007 - option 1 C-SPOC@southend.gov.uk. If you need to make a referral out of hours, please contact the Emergency Duty Team on 0845 606 1212.

For allegations or concerns in respect of people working or volunteering with adults at risk of harm, please email LadoAdultnotifications@southend.gov.uk

The LADO does **not investigate** but gives advice and guidance to ensure that an appropriate investigation is carried out, whether that is by the police, children’s social care or the employer or a combination of these.

The employer or, a sole trader (e.g. a childminder), may also have a duty to inform an Inspectorate, such as Ofsted, or a regulatory body, about an allegation.

**Referral to the LADO**

Advise your manager of your concerns. If, after professional consideration by the manager, the allegation or concerns appear to meet the criteria he/she must contact the LADO within one working day of any situation arising (see contact details below).

Concerns may not be solely in connection with what happens in the working environment. The actions of an individual in their personal life may indicate that their behaviour could pose a transferable risk of harm to children they work with, for example, domestic violence where the person is a perpetrator, child protection concerns regarding their own children, police involvement relating to violent or internet offences.

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

If you are self-employed, a sole trader, or do not have a manager, you should contact the LADO directly with the concerns.

It is important that you take advice from the LADO before commencing an internal investigation. For instance, it may not be appropriate to immediately inform an employee or volunteer that there has been an allegation or that there are safeguarding concerns. Such action could prejudice a criminal investigation.

The LADO will ask you for key details, such as:

• Your details;

• Identity of any identified child(ren) including address and date of birth;

• Identity, date of birth and address of the adult(s) about whom the concerns relate;

 • A brief summary of the allegation(s) or concern(s);

 • Details of any previous concerns about conduct of the adult.

**What does the LADO do?**

The LADO does **not investigate** but gives advice and guidance to ensure that an appropriate investigation is carried out whether that is by the police, children’s social care or the employer or a combination of these.

Based on the information provided about the individual(s) involved, the nature of the incident(s) or concern and the context, a decision is reached as to whether the matter needs to be referred for external investigation, or whether the employer/organisation can use its own internal procedures to investigate.

The LADO does **not** make decisions about suspension; only the employer/organisation has the power to suspend a member of staff.

The LADO does **not** liaise with the individual under investigation directly. Subject to restrictions on the information that can be shared, the employer/organisation should, as soon as possible, inform the accused person about the nature of the allegation, how enquiries will be conducted and the possible outcome.

A Management Planning Meeting (MPM) may be held to discuss the concerns, ensure that appropriate safeguards are in place and co-ordinate and oversee investigations. This meeting, chaired by the LADO, is attended by a senior representative of the ‘employing’ and investigating organisations. Notes are taken at the MPM of the discussion and agreed actions.

The LADO has a responsibility to review and monitor cases through to completion. They also have a statutory responsibility to retain accurate records about the allegation, including those involved, how the matter has been investigated, and the outcome of any Police, Social Care or disciplinary process as being:

* False – sufficient evidence to disprove the allegation;
* Malicious – there has been a deliberate act to deceive and the allegation is entirely false;
* Unfounded – no evidence to support the allegation being made (possibly due to a misunderstanding or misinterpretation of the incident);
* Unsubstantiated – insufficient evidence to prove or disprove the allegation (this is not the same as a false allegation and does not imply guilt or innocence);
* Substantiated –sufficient evidence to prove the allegation.

The LADO will give advice on the conclusion of a case about whether a referral to the Disclosure and Barring Service is required – this is an employer’s legal responsibility.

The employer and the LADO should review the circumstances of the case to determine whether there are any improvements to be made to the organisation's procedures or practice.

**Attending a Management Planning Meeting (MPM)**

If you are a Senior Manager/ responsible for allegations, you may be invited to a Management Planning Meeting as a result of the concerns. If so, you should ensure you have the following information:

 • Initial incident/concern report including date, time, what happened or what was disclosed, what was said and by whom;

• Name, address and date of birth and family details of the member of staff;

• Employment record including details of any previous allegations or concerns of a safeguarding nature, and outcome of investigations;

• Details of staff member’s employment or volunteering activity with any other organisation that works with children;

• Details of any identified child(ren), if known;

• Any information on training undertaken by the member of staff such as safeguarding induction and training, health and safety training, safer working practice guidance;

• The code of conduct/staff behaviour policy for your organisation;

• Work context and role of the member of staff;

• Details of any action already undertaken in regard to the allegation;

• Names of possible witnesses with contact details;

• Information about the child’s behaviour, family background or special needs which may be pertinent to the allegation;

• Details of any previous allegations against staff made by the child;

• Any language and communication difficulties of child or adult.

**Duty of Care**

The welfare of a child is paramount, and this will be the prime concern in terms of investigating an allegation against a person in a position of trust. However, when an allegation or safeguarding concern is being investigated it is likely to be a very stressful experience for the adult subject of the investigation, and for their family members.

It is important that an employer offers appropriate welfare support at such times and recognises the sensitivity of the situation. The subject of the investigation should be advised to contact their union or professional association and that appropriate support can be provided via the organisation's occupational health or employee welfare arrangements.

The accused person should be kept informed of the progress and outcome of any investigation by whichever agency is conducting this.

Information is confidential and should not be shared with other staff, children or parents who are not directly involved in the investigation.

**Whistleblowing**

Organisations must ensure that they have an effective allegations’ policy and procedure which is understood by staff, parents and children, for raising concerns about the behaviours of employees/volunteers who are in a position of trust, working with children. In addition, there should also be a safeguarding ‘whistleblowing’ policy so that staff can always raise concerns of this nature, even if they are unable, for some reason, to follow the organisation’s allegations against staff policy. The Whistleblowing Policy should include the LADO’s contact details as a referral route for staff to follow in these circumstances.

**What happens to the information that has been given to the LADO and how will it be used and stored?**

In order for the LADO to make reasonable, proportionate and informed decisions it is important to collect enough information to allow careful decisions to be made, whilst safeguarding both the child(ren) and the adult involved.

The information collected is about the nature of the allegation or concern itself. In addition personal details about you are collected, such as your name, date of birth, address, and employment history.

The information is handled in accordance with Data Protection legislation and is limited to what is necessary, reasonable and factual.

The information is held in electronic format. There are security measures in place to ensure only authorised Officers can access the information. Information would be shared where appropriate with the Police or Social Care

Services as part of an ongoing or future child protection investigation.

The Southend LADO is required to provide an annual report to the Southend Safeguarding Partnership (Children) (SSPC) about allegations across Southend-on-Sea. All information is anonymised before it is submitted, and statistics, trends and patterns are looked at and not individual cases.

Southend City Council retains records of allegations for 75 years in line with the retention guidelines for other child protection information. The information about an allegation (even if false/malicious/unfounded) is retained for this period to enable accurate information to be given in response to any future request for a reference from an employer. It will provide clarification in cases where a future DBS disclosure reveals information from the police about an allegation that did not result in a criminal conviction. It will also prevent unnecessary re-investigation if, as sometimes happens, an allegation re­surfaces after a period of time.

Individuals can request access to information held about them by the Local Authority by filling out a Subject Access Request form which can be found using this link:

<http://www.southend.gov.uk/info/200437/data_protection/427/requesting_your_information>

To see the full Southend on Sea City Council Privacy Notice please visit [www.southend.gov.uk/privacynotice](http://www.southend.gov.uk/privacynotice).

**Contacting the Southend LADO**

The Southend LADO telephone line is open from Monday to Friday (during office hours, excluding public holidays). If Allison Francis, the Southend LADO, is engaged on a telephone call, or not available, please speak to the

Safeguarding Advisor, Sharon Langston. If both are engaged, you will receive an automated voice message asking you to leave your contact details. Due to the high number of referrals we receive, you are advised to leave a message, or send an email, if you do not get an immediate response.

**Southend-on-Sea LADO**

**01702 534539**

**lado@southend.gov.uk**

**LADO – Allison Francis**

**01702 534539**

**allisonfrancis@southend.gov.uk**

**Safeguarding Advisor – Sharon Langston**

**01702 534591**

The above referral line is for allegations made against those who work with children only and is not a general line of enquiry for children’s safeguarding.

**For child protection enquiries that are not related to an allegation about a professional, please call Southend Children’s Single Point of Contact Team on 01702 215007 - option 1 or email** - **C-SPOC@southend.gov.uk**

**For allegations or concerns in respect of people working or volunteering with adults at risk of harm** **in Southend, please email** **LadoAdultnotifications@southend.gov.uk**

It is also important to note that the Southend LADO does not cover workplaces located under Essex County Council or Thurrock Council.

The Essex Children’s LADOs can be contacted on 03330 139 797 or LADO@essex.gov.uk and Thurrock on 01375 652 535 / 01375 652921 LADO@thurrock.gov.uk

**If you think a child is at immediate risk of significant harm ‘phone the Police.**

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