

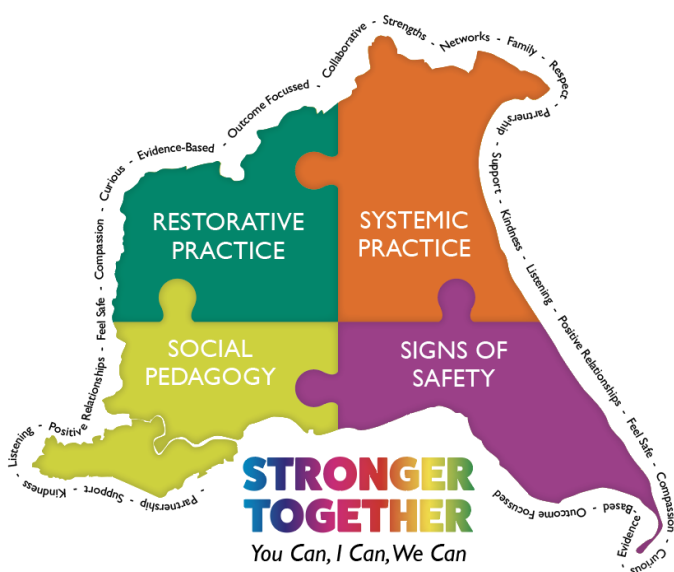


EAST RIDING
OF YORKSHIRE COUNCIL

Children and Young People Support and Safeguarding Services

You Can, I Can, We Can

Allegations Against Persons who Work with Children Policy and Procedure



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I. Scope of this Policy and Procedure

This procedure provides information about dealing with allegations against staff and volunteers who have contact with children and young people in their work or activities. It is addressed to employers, education settings and organisations responsible for providing services to children, young people and adults who are parents or carers.

The term LADO (Local Authority Designated Officer) is used regularly throughout this document and is often referred to as LADO in common practice.

Please see Section 16 - Annex A Flowchart

I.1 Aim and Scope - Ambition, Mission, and values

All allegations concerning abuse of children by those who work with children must be taken seriously. Allegations against people who work with children, whether in a paid or unpaid capacity, can cover a wide range of circumstances and may arise from several sources, such as a report from a child, a concern raised by another adult in the organisation, or a complaint by a parent. It may also arise in the context of the member of staff and their life outside work or at home.

Our aim is to work collaboratively with our partners to ensure the safety of children. The safety of children is paramount and remains the focus of the work we do, as well as ensuring the process of managing allegations is restorative, fair, and balanced. This way of working aligns with the Model of Practice “Stronger Together”.

The LADO will work collaboratively with partner agencies to strengthen the service, ensuring children remain central to all decision-making practices. The LADO will aim to ensure children and young people have every opportunity to remain safe and well and lead happy lives.

Our ambition is for all children and young people in the East Riding to lead fulfilling lives, where they are happy, healthy, confident, and safe. We will work in partnership to remove barriers to achievement and narrow the gap so that everyone can reach their potential.

Our Vision is to deliver good outcomes for children, young people, and their families through the provision of professionally compassionate, curious, and evidence-based practice that is **outcome focused**.

Our mission is to advance excellence in practice by providing leadership, ensuring quality, developing learning, and strengthening service capacity so that local based sufficiency matches need.



Our Values

- We work in a strengths-based way
- We value relationships and understand the importance of being kind
 - We work collaboratively – doing ‘with’ not ‘to’ or ‘for’
- We understand the importance of working with the whole family, including the family network and wider community
- We are child-centred and understand the importance of purposeful direct work

A clear distinction will be made between an allegation, a concern about the quality of care or practice or a complaint.

This procedure should be applied in all situations where it is alleged that a person who works with children or is in a position of trust has:

- Behaved in a way which 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 which indicates that he/she may pose a risk to children.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

* In relation to teachers and staff (including volunteers) in a school or FE college that provides education for children under the age of 18, the third bullet point should be amended to read 'behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children, as outlined in the DoFE statutory guidance [Keeping Children Safe in Education, 2022](#), paragraph 355.

In line with this Guidance, it would normally be the Headteacher (or equivalent depending upon the education setting) who would assume the responsibility of Senior Manager for the organisation, supported by the Designated Safeguarding Lead (DSL), who is also a member of the Senior leadership Team. Please see Section 7 below, for instances where the allegation involves the Headteacher or equivalent.

The East Riding Safeguarding in Education Team will support both the work of the LADO and Headteachers or their equivalent and DSLs as required, throughout the LADO process and in line with the requirements of Part 4 of Keeping Children Safe in Education, 2022.

The fourth bullet point in respect of behaviour that has not been directly towards a child, has been added to [Working together to safeguard children 2023](#).

It can be difficult to determine what may fall into the category of “unsuitable to work with children or adults at risk”. The employer should consider whether the subject of the allegation or concern has:



- Been the subject of criminal procedures that indicate a risk of harm to a child or adult at risk.
- Caused harm or possible harm to a child or adult at risk and there is a risk in the working, volunteering, or caring environment.
- Contravened or continued to contravene their agency's Safeguarding Policy and Procedures.
- Failed to understand or comply with the need for clear personal and professional boundaries in the workplace.
- Behaved in a way in their personal life which could put children and adults at risk of harm.
- Behaved in a way that undermined the trust placed in them by virtue of their position
- Children who are subject to Child Protection Procedures.
- Has caring responsibilities for an adult who is subject to Adult Protection Procedures.

LADO's must consider transferable risk. If there are concerns about the behaviour/conduct of a person in their private life who is in a position of trust working/volunteering with children, the LADO must consider the transferable risk to the children they work/volunteer with.

Whilst some behaviours may not constitute a criminal offence, and some may not reach the threshold of Significant Harm, consideration will need to be given as to whether they may indicate unsuitability to work with children. Any such behaviour should be considered within the context of the four categories of abuse - physical, sexual and emotional abuse and neglect.

These include concerns relating to inappropriate relationships between members of staff and children or young people:

- Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual (see ss 16-19 Sexual Offences Act 2003, [section 15](#))
- 'Grooming', - meeting a child under 16 with intent to commit a relevant offence (see s15 Sexual Offences Act 2003)
- Other 'grooming' behaviour giving rise to concerns of a broader child protection nature for example, inappropriate text / email messages or images, gifts, socializing etc.

The allegations may relate to the person's behaviour at work, at home or in another setting. All references in this document to 'staff or members of staff' should be interpreted as meaning all paid or unpaid staff / professionals and volunteers, including for example foster carers, approved adopters, and child minders. This chapter also applies to any person, who manages or facilitates access to an establishment where children are present. In the context of this procedure, the term "employer" means the organisation that has a working relationship with the person against whom the allegation has been made and includes voluntary organisations, employment agencies, school / college / education settings, fostering services, child minder services, youth clubs and others.

Allegations of historical abuse should be responded to in the same way as current concerns. Anyone over the age of 18, making a historical allegation of abuse needs to contact the Police in the first instance, it will then be the Police who refer to the LADO as per procedures.



In such cases, it is important to find out whether the person against whom the allegation is made is still working with children. The current employer is not informed until the LADO has discussed and agreed with the Police what information will need to be shared.

Where concerns arise about a person's behaviour in relation to their own children, the current employer is not informed until discussed and agreed with Children's Services Social Care and/or the Police. There may be a need to contact the current employer to assess whether there may be implications for children with whom the person has contact at work, in which case this procedure will apply.

2. Roles and Responsibilities

Working Together to Safeguard Children requires that:

County level and unitary local authorities ensure that allegations against people who work with children are not dealt with in isolation. Any action necessary to address corresponding welfare concerns in relation to the child or children involved should be taken without delay and in a coordinated manner. Local authorities should have a designated officer, or team of officers (either as part of multi-agency arrangements or otherwise), to be involved in the management and oversight of allegations against people that work with children. The designated officer, or team of officers, should be sufficiently qualified and experienced to be able to fulfil this role effectively, for example qualified social workers. Any new appointments to such a role, other than current or former designated officers moving between local authorities, should be qualified social workers. Arrangements should be put in place to ensure that any allegations about those who work with children are passed to the designated officer, or team of officers, without delay. (Paragraph 224)

Local authorities should put in place arrangements to provide advice and guidance to employers and voluntary organisations and agencies on how to deal with allegations against people who work with children. Local authorities should also ensure that there are appropriate arrangements in place to effectively liaise with the police and other agencies to monitor the progress of cases and ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process. (Paragraph 225)

The process is restorative and focuses on positive communication. Restorative principals are central to our approach in practice, working "with" our children, young people and families ensuring their voices are heard and considered throughout this process.

This is in line with our social pedagogy principal, which allows us to bring our whole self to a situation, connecting our head (learning experience), heart (Relationships and human side) and hands (practical activities).



Each Safeguarding Children Partnership member organisation should identify a named senior officer with overall responsibility for allegations who should:

- Ensure that the organisation deals with allegations in accordance with this procedure.
- Resolve any inter-agency issues.
- Liaise with the Safeguarding Children Partnership on the subject.

The LADO will not:

- undertake any investigation.
- have direct communication with the person subject of the allegation, (unless there is no direct employer).
- provide advice and support to the person subject of the allegation.
- provide HR advice in respect of suspension or dismissal.

The LADO responsibilities are:

- To quality assure and have oversight of the safeguarding investigations undertaken.
- To be involved in the management and oversight of individual cases from all partner agencies of the East Riding Safeguarding Children's Partnership (ERSCP) which fall within this procedure.
- To provide advice and guidance to employers and voluntary organisations.
- To provide advice and guidance to Senior Managers about the operation of this procedure.
- To provide advice to parent(s)/carers who contact LADO which agencies/people to contact should they have concerns.
- To advise the employer/agency of the persons who are subject of the safeguarding LADO process where to seek support from, in the case of education settings this would be the Headteacher or equivalent and / or the DSL (but please see Section 7 below, where the allegation involves the Headteacher or equivalent).
- To liaise with the Police and other agencies.
- To monitor the progress of cases – advising that they are dealt with as quickly as possible and consistent within a thorough and fair process.
- To keep records of all advice given, actions taken and decisions made.
- Chairing Multi-Agency LADO Meetings and liaising with chairs of Complex Abuse Strategy Meetings or other Local Authority Multi-Agency LADO Meetings.
- To contribute to ERSCP inter agency training programmes and awareness raising across all agencies.
- To provide advice if appropriate to agencies in the discussion regarding suspension. The power to suspend is vested in the employer alone, it is not a LADO decision.
- To liaise with the Police and the Crown Prosecution Service; and



- To maintain information databases in relation of all allegations and produce qualitative and quantitative reports for the ERSCP and Department for Education.
- Provide advice and guidance to employers in relation to making referrals to the Disclosure and Barring Service (DBS) and regulatory bodies such as Ofsted, TRA, the GMC etc.
- Liaise where necessary with the Safeguarding in Education Team and keep the Director of Children and Young People, Education & Schools, informed of all issues emanating from education settings, including progress and outcomes.

Employers should:

Each employer must appoint a Senior Manager who has overall responsibility for ensuring that this procedure is followed at an operational level. This person may be, or may represent, the employer. The responsibilities of the Senior Manager include:

- Ensure the provision of reports necessary to support the allegations process.
- Ensuring that this procedure is properly applied and implemented.
- Providing advice, information, and guidance for staff within the organisation.
- Being the senior manager within the organisation to whom all allegations or concerns are reported.
- Liaising with the Local Authority Designated Officer (LADO) as required under this procedure.
- Referring allegations in accordance with the organisations and this procedure.
- Gathering any additional information which may have a bearing on the allegation for example previous known concerns, care, and control incidents, etc.
- Providing the subject of the allegation with information where they can obtain support from and advising them to inform their union or professional body as part of their duty of care to the person subject to the allegation.
- Should the allegation be malicious, considering, in consultation with the LADO, the need to make a referral to Children's Social Care Services for support or to the Police.
- Attending Multi-Agency LADO Meetings.
- Liaising with Human Resources where the employer's disciplinary action is required.
- Ensuring that risk assessments are undertaken where and when required.
- Ensuring that effective reporting and recording systems are in place which allow for the tracking of allegations through to the outcome.
- Undertaking appropriate checks with data the agency may hold.
- Providing reports and information as required by the LADO.
- Raising the awareness of the need to empower children and young people who are in vulnerable positions by ensuring their agency produce good whistle blowing and complaints procedures for all children.
- Ensuring appropriate and relevant training programmes are in place for and accessed by all staff.



- Ensuring relevant support programmes are in place for staff, parent(s)/carers, and children/young people.

The employer must also identify an alternative person to whom reports should be made in the absence of the nominated Senior Manager, or in cases where that person is the subject of an allegation or concern. In the case of school / college / education settings this would normally be the DSL.

2.1 The Police – Officer in Charge

During an investigation into an allegation against a professional, the police should designate a Detective Sergeant(s) to:

- Liaise with LADO.
- Take part in Allegations Management Meetings.
- Review the progress of cases in which there is a police investigation.
- Share information as appropriate, on completion of an investigation or related prosecution.

If the Police are not investigating at the point of contact by LADO, then a dedicated decision maker would be invited to the meeting, however if the allegation is already under investigation, it would be the officer in charge who attends the meeting.

Police forces should have clear policies for dealing with allegations against people who work with children. There should be a Named Senior Officer who:

- has strategic oversight of the arrangements.
- liaises with the Children’s Social Care in the force area.
- ensures compliance.

Police forces should also identify Designated Liaison Officers who are responsible for:

- Liaising with the LADO.
- Taking part in any strategy discussion or joint evaluation meeting, subsequently reviewing the progress of those cases in which there is a police investigation.
- Sharing information on completion of the investigation or any prosecution.

The Detective Chief Superintendent of the Protecting Vulnerable People Unit will fulfil the Named Senior Officer role. Other Police Officers including Detective Inspectors, Detective Sergeants or Detective Constables from the Protecting Vulnerable People Unit will liaise with the LADO and attend strategy discussions or joint evaluation meetings as appropriate.

The police will follow the procedures in accordance with the Major Investigation and Public Protection – Risk and Associated Investigations, Authorised Professional Practice and Major



Investigation and Public Protection - Investigating Child Abuse and Safeguarding Children, Authorised Professional Practice (College of Policing).

In all allegation cases this should be managed in accordance with this policy and procedures and notified to the LADO

3. General Considerations Relating to Allegations Against Staff

All organisations which provide services to children, or provide staff or volunteers to work with or care for children, should operate a procedure for handling allegations that fall within this procedure in a way which is consistent with the guidance set out in **Working Together to Safeguard Children (2023); Keeping Children Safe in Education (2022); Keeping children safe during community activities, after-school clubs and tuition: non-statutory guidance for providers running out-of-school settings (2020) and Fostering Service National Minimum Standards Standard 22 Handling allegations and suspicions of harm(2011)**.

The East Riding Safeguarding in Education Team is available to support school / college / education settings with advice and guidance.

Harm” is the “ill treatment or the impairment of the health or development of the child” (Section 31, Children Act 1989; Article 2, Children (Northern Ireland) Order 1995; Scottish Government, 2021).

Behaviour that evidences there is a risk of harm to children due to an individual’s behaviour, includes behaviours within the individual’s personal life towards adults and children.

Where such allegations are made, consideration must be given to the following strands:

- The police investigation of a possible criminal offence.
- An internal investigation by the agency/employer if there is not a criminal investigation.
- Enquiries and assessment by Children’s Social Care Services as to whether the child needs protection or is in need of services.
- Consideration by an employer of disciplinary action in respect of the individual.

3.1 Persons to be notified

The LADO must be informed within 1 working day, by completing the LADO referral form from the ERSCP website (www.erscb.org.uk) when an allegation is made. This would normally be by the appropriate manager.



Contact with the LADO needs to be made before any contact is made either with the person subject to the allegation or the child and parent/carer. This is to ensure that the correct action is taken which will not impede the disciplinary or investigative processes.

Parents / carers should usually be informed by the manager of any alleged account of harm to their child. Before doing so consideration should be given to as to whether informing the parent(s)/carers of the child/ren involved will impede the disciplinary or investigative processes. Managers can consult with the LADO if they are unsure of this. In some circumstances the parent(s)/carers may need to be told straight away, for example if a child is injured and requires medical treatment.

The parent(s)/carers and the child, if they are 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.

Advice should be sought from the LADO, the police and / or Children's Social Care Services about how much information should be disclosed to the person who is the subject of the allegation.

The LADO will discuss the matter with the employer and where necessary obtain further details of the allegation and the circumstances in which it was made.

If the LADO criteria and threshold is not met, the LADO will offer advice and guidance to the employer/agency and the referral will be closed as a consultation. It remains the employer/agencies' responsibility to inform the person subject of the referral that there was a consultation with the LADO. In such cases, school / college / education settings, in line with the requirements of Keeping Children Safe in Education, 2022 (Part 4, Section 2), will consider whether to progress the issue as a Low-Level concern. This consideration and decision making will be led by the Headteacher, supported by the DSL and in line with the specific education setting Policy framework

The Police should be consulted, in any case where a criminal offence may have been committed or where the parent wishes for the allegation to be reported to the Police, as soon as practicable. The Multi-Agency LADO discussion with the Police and/or the Safeguarding and Partnership Hub (SAPH) should be undertaken to ensure that any live safeguarding or investigative procedures are implemented.

If there is reasonable cause to suspect that a child is suffering or is likely to suffer Significant Harm, the responsible person or employer will immediately refer the concerns around the child to SAPH, and at the same time refer to the LADO Service for the safeguarding matters around the adult of concern to be dealt with. The DSL will oversee any contact with SaPH in line with the relevant Safeguarding and Child Protection Policy for the setting, keeping the Headteacher or equivalent updated. Wherever possible the LADO should be included in the Section 47



strategy discussion to consider whether the allegation/concern against the person of concern meets the LADO criteria.

In any case where there is a Section 47 Joint Investigation or a live Police investigation the Police should be represented at the initial Multi-Agency LADO Allegation meeting.

In other cases, the Police should be consulted pre or post meeting as appropriate on any identified criminal concern.

When an allegation is against a residential children's home practitioner, the LADO Service will notify, discuss, and update the Commissioning and Service Development Manager (Sufficiency) as appropriate. Consideration will be taken to notify other authorities and Ofsted; and alerting senior managers about any systemic concerns.

Where involvement from Children's Social Care is not required as the child is not believed to be suffering or likely to suffer significant harm, but a police investigation will continue, the LADO should convene an initial meeting/discussion as appropriate to agree the agencies response and actions needed, whilst the police investigation is ongoing.

Where a decision is made that neither Children's Social Care nor the Police are required to continue any involvement, the LADO should discuss the next steps with the employer's senior manager about what further investigations are necessary, who will do this investigation and how this will be fed back into the safeguarding LADO process.

The agency written report of the investigation must be shared with the LADO (two working days) prior to the LADO meeting, this report is important to inform the Multi-Agency LADO Allegation meeting to agree the safeguarding outcome and adjudication.

In the event of a Multi-Agency LADO Allegation Meeting being held, then this should be convened as soon as possible and include the LADO as chair and the Senior Manager for the organisation the referral is about.

The LADO's primary responsibility is the safeguarding of children, and this will be the only issue a LADO will take into consideration when/how the person subject of the allegation is informed. When it is agreed, it would be the employer/agencies responsibility to inform the person subject of the allegation that a safeguarding LADO referral has been made. This may be directed by the police when there is a criminal investigation.

Subject to restrictions on the information that can be shared, the appropriate manager should, as soon as possible, inform the person who is the subject of the allegation about the nature of the allegation, how enquiries will be conducted and the possible outcome, for example disciplinary action, and dismissal or referral to the DBS, TRA or relevant regulatory body.



The person who is the subject of the allegation should:

- Be treated fairly and honestly and helped to understand the concerns expressed and processes involved.
- Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process.
- If suspended, be kept up to date about events in the workplace.

Ofsted should be informed of any allegation or concern made against a member of staff in any day care establishment for children under 8 years or against a registered child minder. They should also be invited to take part in any subsequent Multi Agency Allegation Meeting.

Children's Social Care Services should inform Ofsted of all allegations made against a foster carer, prospective adopter, or member of staff in a residential childcare facility.

Reporting Allegations against Foster Carers

Allegations or suspicions of harm by a foster carers or member of the fostering household must be reported to the LADO. This includes allegations that on the face of it may appear relatively insignificant or that have also been reported directly to the police or Children's Social Care. ([Fostering Minimum Standards - 22.6](#))

The LADO should be informed of **all** allegations against the foster carer/s or members of the fostering household within **1 working day** and this **must be prior** to anyone undertaking any investigation of the matter.

Allegations of historical abuse should be responded to in the same way as contemporary concerns. They should be referred to the Police even if the subject(s) of the allegation have ceased to be foster carers.

Refer to the “Managing Allegations and Monitoring Standards of Care in Fostering” for additional information.

3.2 Confidentiality

Under the General Data Protection Regulations and Data Protection Act 2018, any information shared in a Multi-Agency LADO Allegation meeting/process, which includes but is not limited to, the agreed action log, discussions within the meeting and any record provided after the meeting are strictly confidential and cannot be shared with anyone outside of this meeting without the permission of the LADO who chaired the meeting. Information shared without explicit written consent of the LADO may be treated as a breach of Data Protection. Every



effort should be made to maintain confidentiality and guard against publicity while an allegation is being considered or investigated.

Each agency should not provide any information to the press or media that might identify an individual who is under investigation, unless or until the person is charged, except in exceptional circumstances, e.g., an appeal to trace a suspect. In such cases, the reasons should be documented, and partner agencies should have been consulted beforehand. The outcome of the Safeguarding LADO Process is confidential to the person subject to the allegation or concern and cannot be shared with anyone unless agreed by the LADO.

The person subject of the allegation has a right under section 7 of the Data Protection Act to have access to information about themselves. This does not however give them a right to access information about others, even though they may be the person of concern and subject of the LADO process; or the victim or the parent or carer of the victim making the allegation in the LADO process.

HR or the Designated Manager of the employee in question must keep a clear and comprehensive record of any allegations made.

Each agency must take great care to ensure that the records they keep respect the confidentiality of the victim and/or the alleged person of concern i.e., the child's file should contain limited information about the person of concern and their (his/her) file should contain limited information about the child victim.

Information of the Multi-Agency LADO Allegation process including outcome must not be included on a child's Social Care record. Only that a Safeguarding LADO process has taken place and the East Riding LADO can be contacted for further details. The victim or the parent or carer of the victim making the allegation in the LADO process will also not be given access to the records as this is confidential to the person subject of the LADO process.

Section 13 of the Education Act 2011 introduced restrictions implemented in September 2012 on the publication of any information that would identify a teacher who is the subject of an allegation of misconduct that would constitute a criminal offence, where the alleged victim of the offence is a registered pupil at the school. (See **Section 7 - Restrictions on Identifying Teachers Against Whom Allegations of Criminal Misconduct Have Been Made**).

3.3 Support

The organisation, and the child where appropriate, together with Children's Social Care Services and / or police, where they are involved, should consider the impact on the child concerned and provide support as appropriate. Liaison between the agencies should take place to ensure that the child's needs are addressed.



As soon as possible after an allegation has been received, the person who is the subject of the allegation should be advised to contact their union or professional association. Human resources should be consulted at the earliest opportunity in order that appropriate support can be provided via the organisation's occupational health or employee welfare arrangements.

3.4 Suspension

Suspension should not be automatic. It should be considered in any case where:

- There is cause to suspect a child is at risk of harm; or
- The allegation warrants investigation by the police; or
- The allegation is so serious that it might be grounds for dismissal.

In relation to education - school / college / education settings, Keeping Children Safe in Education, 2022 (Part 4, Paragraphs 378-385) outlines the expectations and requirements in relation to considerations around suspending a member of staff.

Where necessary, suspension should be regarded as a neutral act providing the opportunity for all parties involved to progress a fair and unbiased investigation.

The above notwithstanding, the possible risk of harm to children should be evaluated and managed in respect of the child/ren involved and any other children in the home, work or community life of the person who is the subject of the allegation.

If an Multi Agency Allegation Meeting is to be held or, if Children's Social Care Services or the police are to make enquiries, the LADO should canvass their views on suspension and inform the employer. Only the employer, however, has the power to suspend a person who is the subject of an allegation, and they cannot be required to do so by the local authority or police.

If a suspended person is to return to work, the employer should consider what help and support might be appropriate (e.g., a phased return to work and/or provision of a mentor), and also how best to manage the member of staff's contact with the child concerned, if still in the workplace.

3.5 Resignations and 'compromise agreements'

Every effort should be made to reach a conclusion in all cases even if:

- The individual refuses to cooperate, having been given a full opportunity to answer the allegation and make representations.
- It may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete.

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Compromise agreements' must not be used (i.e. where a member of staff agrees to resign provided that disciplinary action is not taken and that a future reference is agreed). A settlement /compromise agreement which prevents the employer from making a DBS referral when the criteria are met for so doing would likely result in a criminal offence being committed for failure to comply with the duty to refer. The organisation must make a referral to the Disclosure and Barring Service to consider whether to add the individual to the Barred List. This applies irrespective of whether a referral has been made to local authority children's social care and/or the designated officer or team of officers. It is an offence to fail to make a referral without good reason, if the criteria are met for making a referral.

3.6 Organised abuse

Investigators should be alert to signs of organised or widespread abuse and/or the involvement of other perpetrators or institutions.

3.7 Whistleblowing

All staff should be made aware of the organisation's whistle-blowing policy and feel confident to voice concerns about the attitude or actions of colleagues.

If a member of staff believes that a reported allegation or concern is not being dealt with appropriately by their organisation, they should report the matter to the LADO.

Keeping Children Safe in Education, 2022 (Part 1, Paragraphs 72-76) documents, in the context of safeguarding, the requirements for school / college / education setting in respect of Whistleblowing and the associated policy requirements and role of the Headteacher and DSL

3.8 Timescales

It is in everyone's interest for cases to be dealt with expeditiously, fairly, and thoroughly and for unnecessary delays to be avoided. This should be discussed with the appropriate line manager and due consideration be given to notifying the LADO.



4. Direct Referrals to the Police/Children's Social Care Services

Where a referral is made directly to Children's Social Care Services, they will consult with the LADO, the police, and the relevant manager in the organisation.

If a referral is made to the police first, the officer who receives it should report it to the relevant Child and Public Protection Unit (CPPU) without delay and they should in turn inform the LADO.

5. Cross Boundary Issues

Where a child from any of the East Riding Consortium local authority areas makes an allegation in a setting or residence which is outside their own area, the lead responsibility for action lies with the local authority for the area where the alleged abuse occurred.

In these circumstances, the LADO and, where appropriate, the child's social worker will liaise with the relevant local authority and agree a joint strategy.

Checks should be made as to whether there are any other children in the setting or placement. If so, the child's social worker and manager must be informed, and the LADO should consult them about the action required.

Interviews of children will usually be undertaken by the Children's Social Care Services for the area where the child resides, in conjunction with the police as appropriate.

Where the referral relates to a child from another local authority temporarily residing in an establishment located within the East Riding Consortium local authority areas, for example a boarding school, the LADO should liaise with the child's home authority about the roles and responsibilities in carrying out this procedure.

6. Action

6.1 Initial action by person receiving or identifying an allegation or concern

The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.



They should not:

- Investigate or ask leading questions if seeking clarification.
- Make assumptions or offer alternative explanations.
- Promise confidentiality but should give assurance that the information will only be shared on a 'need to know' basis.

They should:

- Make a written record (using the LADO Consultation / Referral Form if one is available in the area) of the information (where possible in the child / adult's own words), including the time, date and place of incident(s), persons present and what was said.
- Sign and date the record / form.
- Report concerns to their line manager who, in consultation with the senior officer with responsibility for allegations, will take a decision about consulting the LADO.

6.2 Initial action by the line manager

When informed of a concern or allegation, the line manager should gather facts and information to aid the decision whether to consult with the LADO. The DSL will support the Headteacher or equivalent with any such considerations when allegations arise in school / college / education settings. The line manager should notify the LADO if they think the allegation has reached the agreed threshold criteria in **(Section 1 of this policy)** within 1 working day.

Managers can consult with the LADO at any part of this initial process. If an allegation requires immediate attention, but is received outside normal office hours, the designated line manager should consult the Children's Social Care Services emergency duty team (SAPH) on 01482 393939 or local police and inform the LADO as soon as possible.

6.3 Initial consideration by the senior line manager and the LADO

The LADO and the line manager should consider first whether further details are needed and whether there is evidence or information that establishes that the allegation is false.

If the allegation is not demonstrably false, there are up to three strands in the consideration of an allegation and next steps:

- A police investigation of a possible criminal offence.



- Children's Social Care Services enquiries and/or assessment about whether a child is in need of protection or services.
- Consideration by an employer of disciplinary action.

7. Restrictions on Identifying Teachers Against Whom Allegations of Criminal Misconduct Have Been Made

The Education Act 2011 prevents the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify the teacher as the subject of the allegation). The reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State publishes information about an investigation or decision in a disciplinary case arising from the allegation. The reporting restrictions also cease to apply if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so or if a judge lifts restrictions in response to a request to do so. Breaching the reporting restrictions is a criminal offence.

When an allegation is made, the Headteacher*or equivalent should take advice from the LADO, police and Children's Social Care Services to agree the following:

- Who needs to know and exactly what information can be shared.
- How to manage speculation, leaks, and gossip.
- What, if any information can be reasonably given to the wider community to reduce speculation; and
- How to manage press interest if and when it should arise.

* Where there are concerns/allegations about the Headteacher or equivalent this should be referred to the Chair of Governors, Chair of the Management Committee or Proprietor of an independent school, and in the event of concerns/allegations about the Headteacher, where the Headteacher is also the sole proprietor of an independent school, or a situation where there is a conflict of interest in reporting the matter to the Headteacher, this should be reported directly to the local authority designated officer(s) (LADOs) – Keeping Children safe in Education, 2022 (Part 1, Paragraph 72)

Please note that this provision applies only to teachers, not to other staff in educational establishments.

It is an offence to publish any information in breach of these restrictions. Publication includes any communication, in whatever form, which is addressed to the public at large or any section of the public. It is a defense to show that the person publishing was not aware of the allegation having been made as set out in Section 141H 'Defenses' of the Act.



8. Multi-Agency Allegation Meeting

The purpose of the Multi-Agency Allegation Meeting is to share information relevant to the allegation that has been made and to plan any investigations that are necessary. It is important to consider previous concerns and allegations.

Attendance at these meetings must be prioritised as part of your organisations safeguarding responsibilities – as per these procedures.

An allegation meeting / discussion will decide and agree a strategy for managing the allegation. Many cases can be managed through a discussion between Senior Manager, the Police, any other relevant agency and the ERYC LADO. Where communication is via phone call or email, detailed records should be kept for audit purposes on the organisations case files.

An Initial Multi Agency Allegation Meeting will usually only be convened where there is an allegation of a possible criminal offence, and the police are attending and / or where it is agreed by relevant parties that the case is complex. There is a need to hold a meeting to share information to plan next steps

The Initial Multi Agency Allegation Meeting / discussion will be chaired by the East Riding LADO. If there is evidence of a possible criminal offence it will be attended by the Humberside Police Officer, the Social Work Manager for the child (where there is one), and the organisation's nominated senior manager. Employers are advised to bring a Human Resources Advisor. It may be appropriate to invite a regulatory body to attend e.g. for allegations against those involved in sporting activities or Ofsted in the case of Childminders and managers of Child Care settings. Other relevant parties can, and will, be determined and invited on a case-by-case basis by the East Riding LADO in agreement with the core group of invitees.

The following is a list of possible participants (anyone implicated or potentially implicated in the allegation should not be involved):

- The LADO.
- The Referrer.
- Relevant Social Worker and his/her manager.
- Police Sergeant or Inspector rank.
- Designated senior manager for the employer concerned.
- Human Resources representative.
- Senior representative of the employment agency or voluntary organisation if applicable.
- In the case of school / college / education settings the Headteacher or equivalent, subject to the caveat outlined in 7 above, if the allegation involves the Headteacher or equivalent.



- Manager from the Fostering Service Provider when an allegation is made against a foster carer.
- Supervising social worker when an allegation is made against a foster carer.
- Those responsible for regulation and inspection where applicable.
- Designated Safeguarding Leads for Health representation where appropriate.
- Where a child from another local authority is resident in the East Riding where the alleged incident took place, the child's social worker and/or manager.
- The Independent Reviewing Officer for the Looked After Child.
- Representative from the school, for the child concerned – Headteacher or equivalent or DSL.
- Complaints officer if the concern has risen from a complaint.
- Representation from Governor Services and/or Academy Trust where allegations are about a Head Teacher or School Governor.
- Senior Manager from Early Years if allegation relates to an early years setting.
- Service Development Manager, Placement and Sufficiency.
- Safeguarding in Education Team Manager

Notifications will be required to be made to OFSTED by the employer/agency, regarding day care and child-minders, residential staff, foster carers and prospective adopters.

The Multi-Agency Allegation Meeting will be chaired by the LADO.

The Multi-Agency Allegation Meeting will need to:

- Share all relevant information about the person who is the subject of the allegation and about the alleged child victim.
- Consider the current allegation in the context of any previous allegations or concerns.
- Check whether there are any diversity or equality issues/special needs to consider for either the victim or person of concern.
- Consider whether any other children are affected by the allegations e.g., the persons own children or other children in the agency setting for example children placed with foster carers, child-minders, a youth club, grandchildren, residential unit.
- Determine any action that needs to be taken in respect of any other children identified including discussions with SaPH (Safeguarding and Partnership Hub) about a Section 47 Enquiry.
- Plan the investigation/enquiries and set timescales for tasks to be undertaken.
- Consider whether the circumstances suggest that the person who is subject to the allegation should be suspended from contact with children, to inform the employers decision about this issue (including whether a foster carer's approval should be suspended and the implications for other children in the home); this may change as the investigation progresses and should be reviewed regularly.
- Decide how regular information and support will be provided to the child and family and by whom including the outcome of the process.



- Ensure that there is consideration to the employer/agency's responsibility to the person who is the subject of the allegation to be kept informed and supported as part of the agency/employer's duty of care.
- Consider whether any parallel disciplinary process can/will take place and agree protocols for sharing information. Parallel disciplinary processes are the employer's decision, however there will be a clear understanding that the information from the employer/agency process will be shared within the safeguarding LADO process to inform decision-making.
- Consider issues for the attention of senior management e.g., media interest, resource implications, systemic concerns impacting on commissioning of services.
- Consider whether a Complex Abuse investigation is applicable, to be managed by the relevant social care service, i.e., fostering, commissioning, residential, front-line social care, etc. linked to the setting/service of concern.
- The LADO DOES NOT undertake the investigation, this process is to coordinate and manage all the information relating to the allegation.

9. Monitoring Progress

The progress of the investigation and enquiries needs to be reviewed by the LADO to prevent drift and delay.

Agencies are required to keep the LADO informed of the progress of the investigation, including the conclusion of any investigation in order that a final Multi-Agency LADO Meeting can be held to make an adjudication in terms of safeguarding concerns and the allegation/s.

The LADO should regularly monitor and record the progress of each case. This could be by way of review Allegations Management Meetings / discussions / initial evaluations or direct liaison with the police, Children's Social Care Services, or employer, as appropriate. Where the target timescales cannot be met, the LADO should record the reasons.

The LADO should keep comprehensive records to ensure that each case is being dealt with expeditiously and that there are no undue delays. The records may also be used to assist the Safeguarding Children Partnership to monitor and evaluate the effectiveness of the procedures for managing allegations and provide statistical information to the Department for Education (DfE) as required.

If a police investigation is to be conducted, the police should set a date for reviewing its progress and consulting the CPS about continuing or closing the investigation or charging the individual. Wherever possible, this should be no later than 4 weeks after the Multi Agency Allegation Meeting. Dates for further reviews should also be agreed, either fortnightly or monthly depending on the complexity of the investigation.

The Police or the Crown Prosecution Service (CPS) should inform the employer's Senior Manager and Local Authority Designated Officer (LADO) as soon as practicable when a criminal



investigation and any subsequent trial are complete, or if it is decided to close an investigation without charge, or not to prosecute after the person has been charged

10. Outcomes

To conclude the Multi-Agency Allegation process, the line manager and LADO should ensure that all tasks have been completed, including any referrals to the DBS if appropriate, and, where appropriate, agree an action plan for future practice based on lessons learnt.

The essential people to attend the final Multi-Agency Allegation Meeting are:

- The referrer where relevant or appropriate (as agreed with the LADO).
- Senior representatives from the agency/organisation.
- Person/s representing the voice of the child. If this is not possible, the LADO will ensure that the voice of the child is represented through other means.
- Investigator and/or person overseeing the investigation.
- All other persons attending will be agreed with the LADO in advance of the meeting.

Where there is an agency investigation, a written report of the investigation must be shared with the LADO (two working days) prior to the LADO meeting, this report is important to inform the Multi-Agency Allegation meeting to agree the safeguarding outcome and adjudication.

It is the employer/overseeing agency's responsibility to ensure that the views of the person who is the subject of the LADO process are obtained and represented in the final Multi-Agency Allegation meeting.

In summarising the information shared from the investigation, the LADO will give clear direction in terms of the adjudication options that are relevant to the outcome. The LADO has the deciding adjudication where there is a split decision, or if the LADO does not believe that the decision was appropriate, fair or proportionate.

The professionals involved should take in to account the following definitions when determining the outcome of allegation investigations:

Outcome	Definition
10.1 Substantiated	There is sufficient identifiable evidence to prove the allegation.
10.2 False:	There is sufficient evidence to disprove the allegation; and suggest that it was falsely made.



10.3 Malicious:	There is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.
10.4 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.
10.5 Unfounded	The allegation is not based on fact and there is no substance to the allegation.

The record of the LADO meeting is not recorded word for word, it is a summary of the discussion and allows for clear decisions and actions to be recorded.

It is the employer/ agency's responsibility to share the Safeguarding LADO Process outcome with their employee/volunteer who had been subject of the LADO referral.

Where there is no admittance, caution or conviction, participants will take a decision considering all the information shared in the process. The adjudication is a multi-agency informed professional decision based on the balance of probability, which is a lower threshold than beyond all reasonable doubt and that is used in a court of law.

The East Riding of Yorkshire Council Complaints Process needs to be followed if the person considers the allegations procedures as set out in this document was not followed. This would also apply should new information comes to light (see section 16 within this guidance).

It is a legal requirement as set out in Working Together 2023, that a referral to the Disclosure and Barring Service (DBS) is made by the employer or volunteer manager when both the harms test has been met and the person has been dismissed/resigned/removed from regulated activity. The National DBS will consider whether the person will be 'barred' from working/volunteering with children. 'Barring' is not an automatic consequence of a referral to the National DBS.

Legal duty to refer: A referral must be made when the following conditions have been met:

Condition 1

- The employer withdraws permission for a person to engage in regulated activity with children and/or vulnerable adults. Or the person is moved to another area of work that isn't regulated activity.

This includes situations when the employer would have taken the above action, but the person was re-deployed, resigned, retired, or left. For example, a teacher resigns when an allegation of harm to a student is first made.



Condition 2

The employer thinks the person has carried out one of the following:

- Engaged in relevant conduct in relation to children and/or adults. An action or inaction has harmed a child or vulnerable adult or put them at risk or harm or;
- Satisfied the harm test in relation to children and / or vulnerable adults. e.g., there has been no relevant conduct but a risk of harm to a child or;
- Has been cautioned or convicted of a relevant offence (automatic barring either with or without the right to make representations)

Referrals when the legal conditions are not met:

- There could be times when the LADO would consider that a referral should be made in the interests of safeguarding children or vulnerable adults even if the accused person has not been removed from working in regulated activity.
- This could include acting on advice of the police or a safeguarding professional, or in situations where the employer does not have enough evidence to dismiss or remove a person from working with vulnerable groups.
- DBS are required by law to consider any and all information sent to them. This includes information sent where the legal referral conditions are not met.
- DBS will use legal powers and barring processes to determine whether the person should be barred from working in regulated activity with children and / or vulnerable adults.
- If we want to make a referral to DBS where the referral conditions are not met, we will do so in consideration of relevant employment and data protection laws.

However, the person subject of a LADO process needs to be aware that the details of the allegation and the outcome of a safeguarding LADO referral and LADO process could be disclosed on an enhanced DBS certificate, if there has been a s.47 strategy discussion, police involvement, child protection procedures and/or if the local and/or national DBS contact the LADO service to request information.

A further possible action where there is a substantiated LADO process outcome, is that the employer will also make a referral to a relevant Regulatory or Registration body for certain professions such as teachers, social workers, nurses, doctors etc.

If there is no employer, the LADO may need to make a referral to the DBS or relevant regulatory/ registration body.

All relevant professionals must keep their relevant senior officer with responsibility for allegations and the LADO informed of any developments in the case. Children's Social Work Services should not end their involvement and support of the children and families, in which the LADO is involved without consulting them. The senior officer with responsibility for allegations must ensure that the LADO is aware of the outcomes of the actions within the allegations management process, and the LADO and senior officer with responsibility for allegations must ensure the child/young person and any other professionals who have been



involved are aware of the outcome. In cases of dismissal, the DBS must be informed by the senior officer with responsibility for allegations.

11. Post Investigation

At the end of any investigation, the LADO will consider whether it is necessary to convene a Post Investigation Meeting (reconvened Allegation Meeting), for example in particularly complex cases.

This meeting must ensure that:

- All the original allegations have been addressed.
- The investigation has been clearly recorded.
- All strands of the investigation have been concluded.
- All those involved have been informed of the outcomes appropriately.
- The children have been safeguarded and services have been provided.
- The recommendations and decisions of the Post Investigation Meeting / reconvened Allegation Meeting are reviewed within an agreed timescale to ensure that they are followed through.
- If an organisation removes an individual (paid worker or unpaid volunteer) from work, or would have, had the person not left first / resigned because the person poses a risk of harm to children, the organisation must make a referral to the Disclosure and Barring Service. It is an offence to fail to make a referral without good reason.

12. Unsubstantiated and False Allegations

Where it is concluded that there is insufficient evidence to substantiate an allegation, the LADO should liaise with the relevant manager of the employer to enable them to consider what further action, if any, should be taken and record as appropriate.

False allegations are rare and may be a strong indicator of abuse elsewhere which requires further exploration. If an allegation is demonstrably false, the employer, in consultation with the LADO, should consider referring the matter to Children's Social Care Services to determine if the child is in need of services, or might have been abused by someone else.

If it is established that an allegation has been deliberately invented, consideration should be given by the LADO to informing the police.



13. Confidentiality and Record Keeping

The LADO and relevant manager may need to liaise with legal services and information governance when making decisions and advising on the sharing of relevant information.

During the investigation the police should obtain consent from the individuals concerned to share the statements and evidence they obtain with the employer and/or Regulatory Authority, for disciplinary purposes. This will enable the police and the Crown Prosecution Service (CPS) to share relevant information without delay at the conclusion of the investigation or any court case.

Children's Social Care Services should also obtain consent when making enquiries so that any information that is relevant to a disciplinary case can be passed on to the employer or Regulatory Authority.

Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being considered or investigated.

The police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless or until the person is charged with a criminal offence. In exceptional circumstances where the police might make an appeal to trace a suspect, the reasons for this action should be documented and partner agencies should have been consulted beforehand.

The child and parents or carers can be informed about the outcome of any disciplinary process, but they do not have access to the deliberations of a disciplinary hearing, nor the information taken into account in reaching the decisions in the hearing.

Employers should keep a clear and comprehensive summary of the case record on a person's confidential personnel file and give a copy to the individual. 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 for 10 years if longer.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has moved on. It will provide clarification where a future DBS request reveals non convicted information and will help to prevent unnecessary reinvestigation if an allegation re-surfaces after a period of time. In this sense it may serve as a protector to the individual themselves, as well as in cases where substantiated allegations need to be known about to safeguard future children.

Details of allegations that are found to be malicious should be removed from personnel records. For Education services see [Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges, 2022 \(Part 4\)](#).



CONTENT/ TYPE	SCENARIO	TIMESCALE FOR REVIEW	ACTION	RATIONAL
Contacts, Initial Considerations and Referrals that do not Progress	All contacts, Initial Considerations, and referrals into LADO where it is clear that there is no evidence to substantiate the allegation	Reviewed 10 years from the date of closure	All information should be deleted or removed, unless at that point the LADO is able to rationalise why the information should be retained.	<i>A decision to retain information beyond 10years may be taken by the LADO if patterns or behaviour are emerging that suggest the person could continue to pose risk of harm.</i>
Malicious, False or Unfounded	All cases that progress to strategy meeting whereby the allegation is found to be Malicious, false or unfounded.	Reviewed after 10 years from the date of closure	If no additional information or evidence is brought to light during this period, the information should be deleted or removed, unless the LADO is able to rationalise why the information	<i>A decision to retain information beyond 10years may be taken by the LADO if patterns or behaviour are emerging that suggest the person could continue to pose risk of harm.</i>



			should be retained.	
Unsubstantiated	All cases that progress to strategy meeting whereby the allegation is found to be unsubstantiated.	No Date for review	These records should be retained until the alleged perpetrator reaches the age of 100 years. Following this time, they should be deleted and destroyed.	<p><i>For cases that are deemed unsubstantiated there is neither evidence to confirm or deny the alleged incident happened and therefore the risk in deleting this information / deleting sooner is too high.</i></p> <p><i>The decision made to retain records whereby the outcome is unsubstantiated comes from the Bichard enquiry regarding Ian Huntley who had a series of unsubstantiated allegations against him that presented a pattern of concern.</i></p>
Substantiated	All cases that progress to strategy meeting	No Date for review	These records should be	<i>Substantiated case should not be deleted or</i>



	whereby the outcome is found to be substantiated.		retained until the alleged perpetrator reaches the age of 100 years. Following this time, they should be deleted and destroyed	<p><i>removed sooner than this time as the outcome suggests the person poses risk of harm to children and the information should remain.</i></p> <p><i>This allows for allegations that may be made once the person has died per Jimmy Savile and Cyril Smith.</i></p>
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14. Action Following a Criminal Investigation or a Prosecution

The police should inform the employer's relevant manager and LADO straight away when a criminal investigation and any subsequent trial are complete, or if it is decided to close an investigation without charge, or not to prosecute after the person has been charged.

In all circumstances the LADO should discuss with the employer's relevant manager what further action is appropriate and agree how to proceed. The information provided by the police and/or Children's Social Care Services should inform that decision.

14.1 Substantiated allegations

If an allegation is substantiated and the person is dismissed or the employer ceases to use the person's service or the person resigns or otherwise ceases to provide their services, the LADO should discuss with the employer whether a referral should be made to the Disclosure and Barring Service (DBS).

If a referral is to be made; it should be submitted within 1 month of the allegation being substantiated.



14.2 Bodies with a legal duty to refer

The following groups have a legal duty to refer information to the DBS:

- Regulated Activity suppliers (employers and volunteer managers);
- Personnel suppliers.
- Groups with a power to refer.

14.3 Bodies with the power to refer

The following groups have a power to refer information to the DBS:

- Local authorities (safeguarding role);
- Social Work England
- Health bodies
- Education and Library Boards.
- Keepers of registers e.g., General Medical Council, Nursing and Midwifery Council.
- Supervisory authorities e.g., Care Quality Commission, Ofsted.

If the person being referred to the DBS is a teacher in England they should also be referred to the **Teaching Regulation Agency**.

If it is decided that a person who has been suspended from work can return, the employer must consider how best to facilitate that return. The employer must also consider how the persons contact with the child or children who made the allegation can best be managed if they are still in the workplace.

15. Lessons Learned

At the conclusion of a case where the allegation has been substantiated, the relevant manager, in consultation with the Named Senior Officer and the LADO, should review the circumstances of the case to determine whether there are any improvements to be made to the organisations procedures or practice to help prevent similar events for the future.

Consideration should be given to sharing any lessons from investigations and enquiries with members of the East Riding Children's Safeguarding Board.

The LADO will attend the Safeguarding Partnership meetings on a quarterly basis and present the findings from themes highlighted from "lessons learned". From this, Partnership agencies and the LADO can implement action plans to improve service delivery and address any training needs.



This data is also utilised in reflective space activity.

In some circumstances, a Serious Case Review / Child Safeguarding Practice Review may be appropriate.

15.1 Quality Assurance

A recognition for a peer review on a yearly basis

- Peer reviews will be carried out annually with our neighboring authorities to recognise good practice and areas for development, from which action plans will be collated and implemented.
- Peer reflection meetings and a buddy system has been set up within the regional network group.
- Case audits have been set up and are undertaken every six weeks in order to recognise areas for development and capture any trends from 'lessons learned'.
- Improvement plans have been drawn up from the findings of the audits and lessons learned, which are reviewed and overseen by managers.
- Quality assurance and development meetings are being set up with our partner agencies to review feedback obtained from the recording of 'lessons learned' and action plans will be drawn up from these meetings to improve practice.
- Feedback regarding the LADO process is obtained with the use of surveys, which are reviewed at the quality assurance development meetings in order to ensure the findings are used to improve practice and relationships with our partner agencies.

16. New information and complaint

16.1. If any individual considers, after the conclusion of a case, that there exists substantial new / additional information that was not available at the Final Allegations Review, they can write to the ERYC LADO Manager. The ERYC LADO Manager will consider whether the information provided would have made a material difference to the outcome categorisation made at the Final Allegations Review and whether any further investigation or review is appropriate. The LADO Manager will notify to the reportee, in writing, any determination made and/or action taken.

16.2. Any complaint about any aspect of the investigation of an allegation, or specific action taken by organisations, should be directed to the relevant organisation. In the case of a police investigation or action, this should be to the police force undertaking the investigation. In the case of an employment/voluntary activity/ regulatory body related investigation or action; this should be to the organisation responsible. The ERYC LADO is not responsible for the conduct



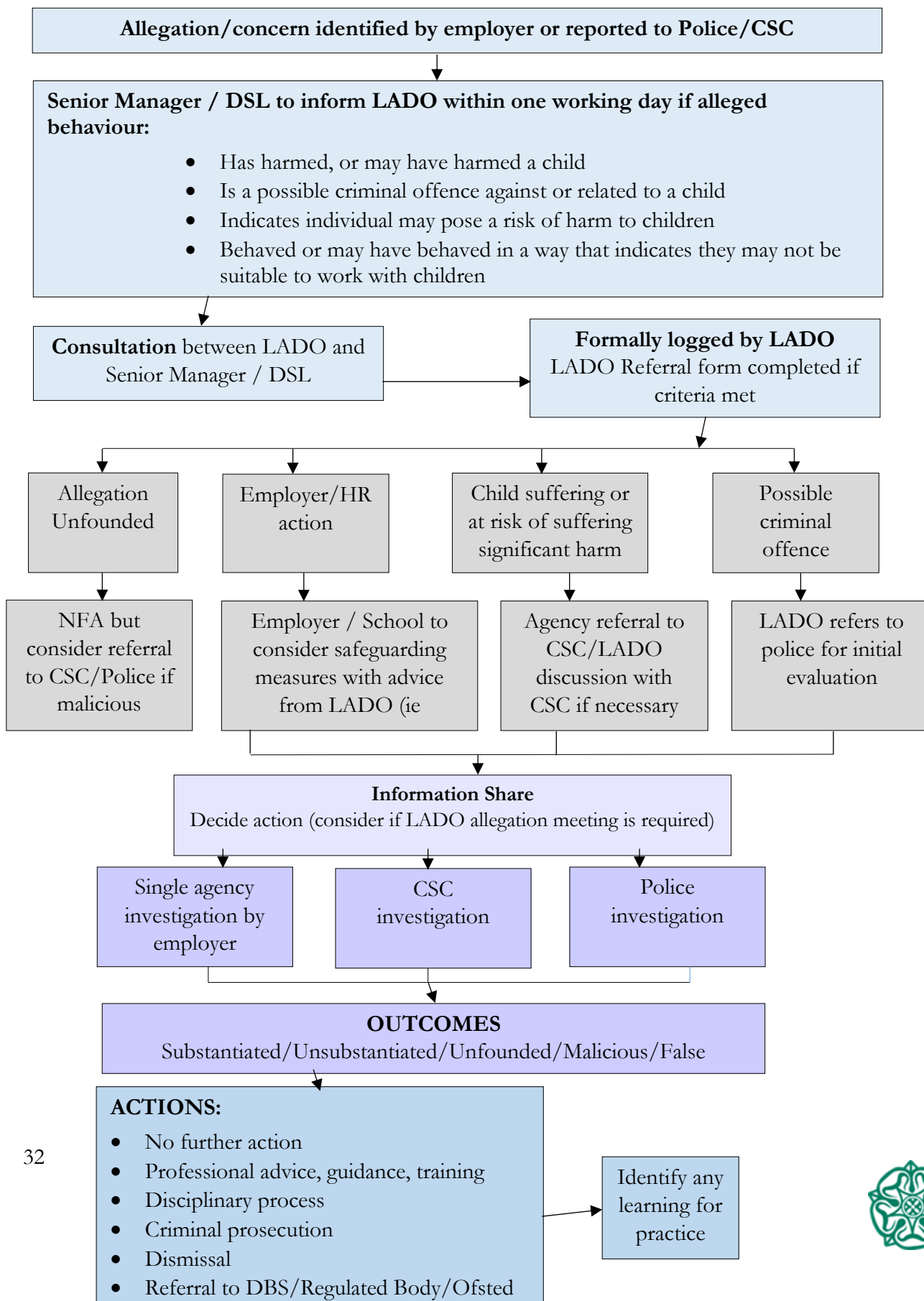
of an investigation, or decisions made by specific organisations in furtherance of that organisation's legislative or procedural requirements.

16.3. Any complaint in relation to the application of the ERSCP Procedures that does not fit the criteria in relation to 16.1 or 16.2 should be made in writing and directed to the ERYC LADO Manager. These cases will be considered under ERYC and /or ERSCP procedures on a case-by-case basis.



17. Annex A - Flowchart

ALLEGATIONS MANAGEMENT PROCESS (STAFF AND VOLUNTEERS)



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