



## **Managing allegations against people who work or volunteer with children**

### ***Information for employers***

#### **Introduction**

Every organisation that works with children should have a named person responsible for progressing allegations. When they are informed of an allegation, they must contact the Local Authority Designated Officer (LADO) within one working day. The criteria for making a referral to the LADO, are that an individual who works or volunteers with children may have:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not to be suitable to work with children

Non-recent allegations should be responded to in the same way as contemporary ones.

Please read the Managing allegations against people who work with children policy and procedures in conjunction with the LADO referral form. They can be found on [SaferNEL | Report a concern - SaferNEL](#)

The LADO is responsible for overseeing all safeguarding allegations about individuals who work children. This work can be paid, unpaid or voluntary. The LADO's role is to provide management and oversight of allegations and not to investigate. It is important that the LADO remains impartial to the investigation.

#### **Role of the named responsible person**

- Make a referral to the LADO
- Gather any additional information required to build the context
- Take part in allegation management meetings
- Support the employee
- Consider agency media arrangements
- Ensure compliance with the Safeguarding Children Partnership policy and procedures for managing allegations against adults who work with children

## **What happens next?**

If an allegation has been made about a member of staff, further information may be needed to understand what has happened. The LADO will agree with the named responsible person when the individual subject of an allegation will be informed of the concern.

Allegation management meetings will be held to decide how the allegation should be dealt with. The meetings are confidential and limited to who needs to know. The meeting is an information sharing process, which may involve the police, you as the employer, Children's Services and other agencies, dependent on who is investigating the allegation. The person subject of an allegation or the alleged victim(s) will not be invited to these meetings, but it is important they are given their right to reply in any investigations.

The aim of the meeting is to share relevant information about the allegation, co-ordinate any investigations and to ensure that all agencies are fulfilling their safeguarding duties. As an employer you will be asked to provide relevant information in respect of the person subject of an allegation; including their time in employment and what this looks like, any previous concerns/allegations noted, what support is in place and what action you have taken/plan to take as an employer. The meeting will also consider how risk management measures will be implemented by agencies involved. This may include completing a precautionary suspension risk assessment.

## **Who will investigate the allegation?**

- Children's Services under child protection procedures, as necessary
- The police regarding any possible criminal offence. The person subject of an allegation may be arrested and interviewed under caution or invited to assist with their investigation. Sometimes bail conditions can be applied
- The employer under disciplinary procedures

Following the completion of all investigations, a decision will be made to conclude the allegation outcome as either substantiated, unsubstantiated, false, malicious or unfounded. It is the employer's responsibility to notify the person subject of an allegation of the outcome of the employment process and the allegation outcome.

## **Employers' responsibilities**

The employer has a duty of care to their employees. The employer should appoint a named representative to keep the person who is subject of the allegation informed of the progress of the managing allegations process and consider what other support is required.

The power to suspend is invested in the employer. Suspension should be considered in any case where there is:

- cause to suspect a child/ren or other child/ren is/are at risk of harm
- the case is so serious that it might be grounds for dismissal

The employer should be as inventive as possible to avoid suspension based on an assessment of risk.

If the accused person resigns, or ceases to provide their service, this will not prevent an allegation from being followed up until it reaches a conclusion. Referrals to the Disclosure and Barring Service (DBS) must still be made if the criteria are met.

If the employee resigns before you have concluded the investigation, the managing allegation process will continue to conclusion, and you will also be advised to continue any employment process to its outcome, with or without the employee's co-operation. This is so that appropriate evaluation about their continued suitability to work with children can be considered based upon the evidence gathered from all the investigations. This is in line with your safeguarding duties.

Ofsted and other regulatory bodies may need to be informed of allegations being made against employees by the employer. Employers have a duty to refer to the DBS when the criteria are met.

### **Further Information**

For further information, see the North East Lincolnshire Safeguarding Children Partnership Policy and Procedures for Managing allegations against people who work with children.

[SaferNEL | Report a concern - SaferNEL](#)

These procedures implement the statutory guidance for the management of allegations which can be found in Working Together 2023.

Disclosure and Barring Service Guidance for making referrals can be found at:

[www.gov.uk/guidance/making-barring-referrals-to-the-dbs](http://www.gov.uk/guidance/making-barring-referrals-to-the-dbs)

### **Contact us**

Local Authority Designated Officer

[lado@nelincs.gov.uk](mailto:lado@nelincs.gov.uk)

01472 326118

### **Worried about a child**

Safeguarding children and keeping them safe is everyone's business.

If you think that a child might be the victim of abuse or neglect or they may be at risk of harm, you should always report your concerns. The managing allegation procedure does not replace child protection procedures and runs alongside.

### **For referrals to Children's Services in North East Lincolnshire**

Telephone: 01472 326292 option 2.

Professional Consultation Line: 01472 323145

[NELCChildrensFrontDoor@nelincs.gov.uk](mailto:NELCChildrensFrontDoor@nelincs.gov.uk)

### **Police**

999 (in cases of emergency)

101 (non-emergency number)