

Managing allegations against staff and volunteers

The LADO Service



Grounds for Allegations

A referral **MUST** be made to the LADO Service in every case where it is alleged that a person working with children has:

- Behaved in a way that has harmed 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.
- May include matters relating to someone's private life



What is a LADO

- Statutory role – every Local Authority has to have a LADO.
- LADO's provide advice and guidance to employers where there has been an allegation against a member of staff or volunteer.
- LADO's are involved in the management and oversight of case.
- A LADO will liaise with police and other agencies.
- The LADO remains involved even if it is not Child Protection and until disciplinary investigations are complete.
- LADOs hold meetings and review cases if required. Continue to offer advice and guidance.



Responding to a concern or an allegation

- Making judgments about someone's behaviour can be a complex and difficult process but you need to ensure that any allegation or risk is assessed.
- Do not investigate until you have consulted with the LADO.
- If a child has made an allegation write down **EXACTLY** what they have said, not what you think they mean.
- If other children/adults witnessed the incident record their names and any comments they may have made.



Consultation with LADO

- **The Setting & the LADO must discuss and agree next steps if there has been an allegation.**
- **Police must be consulted if it is believed a criminal offence has been committed. Often a police investigation goes nowhere, but there are still concerns & the setting will need to investigate and complete a formal process.**
- **Safety of other children in the setting a priority.**



Personnel and Disciplinary Issues

- Record all actions and decisions you make
- Consult and seek advise from HR.
- LADO remains involved until the process is complete
- Consider whether suspension is necessary
- Suspension is a neutral act, it should not be automatic or the default option but considered when:
 - There is suspected significant harm
 - Allegation warrants police investigation
 - Allegation is so serious it may be grounds for dismissal



Resignations/Compromise Agreements

- A resignation must not prevent the allegation being followed up using procedures
- Reaching a judgement about an allegation, and whether the allegation is regarded as substantiated on basis of all available information should continue even without co-operation of subject.
- Compromise agreements must NOT be used in cases where the issues are in relation to safeguarding.



Referral to DBS

- If someone is dismissed on Safeguarding Grounds then the employer **MUST**, make a referral to the DBS.
- If the member of staff is a qualified teacher then a referral needs to be made to the Teaching Regulation Agency.



Questions to ask yourself...

- Do all members of staff, children and parents know who to go to if they have a concern about a member of staff?
- Do you have an up to date Managing Allegations/Whistleblowing Policy?
- Is the culture of your setting one in which children, parents and staff see that the discussion of concerns are welcome?
- Do you keep accurate records of concerns/issues that do not meet the criteria for allegations management?



LADO Service Contact Details

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