

Local Authority Designated Officer (LADO)

Annual Report

**Allegations against professionals, volunteers
and foster carers**

April 2018 to March 2019

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1. Executive summary

What was done?

Referrals to the local authority designated officer (LADO) Service decreased very slightly overall in the last year across Richmond and Kingston. In the 2018/2019 reporting year, there were a total of 329 notifications of allegations or professional consultations in Kingston and Richmond. This is broken down to 167 in Kingston (a decrease of four from the last reporting year) and 162 in Richmond (a decrease of 10 from the last reporting year).

Since January 2019, AfC has taken over the LADO functions from the Windsor and Maidenhead borough. During the fourth quarter there were 37 referrals from Windsor and Maidenhead. While the commissioning council managed LADO services between April 2018 and January 2019 there were 67 reported referrals and contacts into their LADO service. This means in total LADO referrals and contacts for Windsor and Maidenhead is 104.

In total the LADO service centrally run by AfC has received 433 referrals and contacts into the service.

Early data and figures would indicate that the referrals and contacts into the AfC LADO service for Kingston, Richmond, Windsor and Maidenhead is likely to be between 450 and 500 in 2019/2020.

How well was it done?

In May 2019, a local independent school praised the LADO.

“Thank-you so much for all your hard work and professionalism today. You have been really outstanding in every respect and we have very much appreciated your support, your total commitment to the welfare of our pupils, your sensitive approach and your excellent advice.”

Richmond’s Ofsted inspection in 2017 also had praise for the LADO service.

“Allegations against staff or persons of trust are well managed. The Designated Officer is knowledgeable and experienced and understands when and how to commence a child protection inquiry, if one is necessary.

Cases are followed up in writing, including those that do not meet the threshold for a Strategy Meeting, and this is good practice.

Systems in place to identify any emerging patterns apply equally to individuals and settings and ensure that repeat offending is minimised.”

What difference has been made?

The LADO process continues to ensure that allegations against those who work or volunteer with children are not seen in isolation and that the welfare of children is prioritised.

Introduction

The purpose of this report is to provide an overview of the management of allegations against the children's workforce and the role of the LADO in the Kingston and Richmond boroughs provided by Achieving for Children (AfC), for the period 1 April 2018 to 31 March 2019, and the Windsor and Maidenhead from 1 January 2019 to 31 March 2019.

All agencies that provide services for children, provide staff or volunteers to work with, or care for children are required to have a procedure in place for managing and reporting allegations against staff, which is consistent with statutory guidance published by HM Government (revised guidance: Working Together to Safeguard Children 2013, 2015 and 2018).

This guidance outlines the requirement of the LADO to oversee the effectiveness, transparency and record retention of the process, not only in terms of protecting children, but also ensuring that staff who are the subject of an allegation are treated fairly and that the response and subsequent action is consistent, reasonable and proportionate.

Keeping Children Safe in Education updated in September 2018, sets out the legal duties educational establishments must follow to safeguard and promote the welfare of children and young people. It includes guidance around the management of allegations against the children's workforce.

The detail of the procedure followed by AfC's LADO to manage allegations against people who work with children is contained within the Pan London Child Protection Procedures: www.londoncp.co.uk/chapters/alleg_staff.html

One of the revisions included in the 2018 edition of Working Together to Safeguard Children is that it no longer refers to 'LADOs', but says 'local authorities should have designated a particular officer, or team of officers (either as part of multi-agency arrangements or otherwise)'. All new appointees to LADO should be qualified social workers, unless an existing LADO moving between authorities. Along with most other London boroughs, Achieving for Children has chosen to maintain the title of LADO, as this is the title that partner agencies tell us they most easily understand.

This report sets out the key findings from LADO activity through data analysis and commentary. Case studies have been used to provide an illustration of the complexity and diverse nature of the role.

2. The role of the LADO

The LADO's key role is to provide advice and guidance to employers or voluntary organisations when there has been an allegation against a member of staff or volunteer.

The LADO will liaise with the police and other agencies, including Ofsted and professional bodies and monitor the progress of referrals to ensure that they are dealt with consistently, as quickly as possible. The LADO ensures organisations operate a thorough and fair process of investigating allegations. The LADO will provide oversight of the investigative process through to its conclusion.

The LADO service will also chair allegations against staff and volunteer (ASV) meetings and establish an agreed format to an investigation, whilst facilitating resolution to any inter-agency issues.

The LADO will also provide liaison with other local authority LADOs where there are cross-boundary issues. The service collects strategic data and maintains a confidential database in relation to allegations.

The LADO Service disseminates learning from LADO enquiries throughout the children's workforce and wider groups like the performance boards and LSCB.

The LADO will attend children's social care and police strategy meetings where there are concerns regarding the children's workforce.

Statutory guidance places a clear responsibility on organisations to report to the LADO 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 that they may pose a risk of harm to children

Referrals often do not result in a strategy meeting, but instead advice and support is provided by the LADO in relation to disciplinary matters, health and safety measures or identified training needs.

3. Staffing, including administrative support

The LADO service arrangements were reviewed by AfC and a new joint LADO, with responsibility for the Kingston and Richmond boroughs, was appointed in April 2014. A permanent LADO took responsibility for Richmond's service at the end of April 2014 and Kingston's at the end of May 2014.

In October 2017, a new LADO was appointed. This individual solely undertakes the LADO function and has no additional responsibilities outside of this role. In September 2018 the Principle Social Worker and Head of Safeguarding standards left AfC. From September 2018, the Association Director for Quality Assurance has overseen the LADO Service.

From January 2019 when Windsor and Maidenhead's LADO services were taken over by AfC, the current LADO became the interim senior LADO, and an agency LADO was appointed to support the LADO functions across all three boroughs.

The senior LADO is an experienced social worker, registered with the Health and Care Professions Council and fully meet the requirements of the revisions to Working Together to Safeguard Children 2018. There are no plans to move the LADO service outside of the Quality Assurance and Reviewing Service or to rename the role.

Having a designated centralised LADO Service for all three boroughs provides consistency and the opportunity to develop good working relationships with partner agencies.

The interim senior LADO receives regular, four weekly supervision from the Associate Director for Quality Assurance, and the interim LADO receives supervision from the Senior LADO. As with all supervision there is an opportunity to reflect on and discuss individual cases, themes, and set short term goals regarding training and development.

In line with AfC policy, the Interim senior LADO has a mid-year review and annual appraisal where performance, individual and service goals are agreed.

The senior LADO and Associate Director for Quality Assurance and Review have regular and consistent oversight of cases. There is management sign off of cases that have concluded and require no further action. Management oversight is recorded on each individual case file.

Currently the LADO service is supported by an experienced business support officer. Their role includes:

- maintaining an up to date database by recording all LADO contact, including consultations and referrals
- arranging LADO meetings and reviews
- maintaining contact with partner agencies when necessary
- taking accurate minutes of LADO meetings and distributing these securely
- performing checks for child chaperone applications
- maintaining, collating and updating the high profile case tracker
- providing the LADO dataset for the monthly Joint Performance Board

5. New LADO Service structure

The Windsor and Maidenhead LADO service joined Achieving for Children on 7 January 2019. All referrals now come through the centralised and non-geographically based AfC LADO service.

The current AfC LADO became the interim senior LADO and an interim LADO started on the 17 January, to support the new service and to ensure key functions were effectively managed. All business support functions are now managed by the centralised LADO service by the business support officer for LADO.

During the first three months of the new service's operation, the senior LADO has met with key agencies and staff within Windsor and Maidenhead, including independent schools, maintained schools, specialist police teams within Thames Valley Police and attended and facilitated LADO training with the nursery settings with the School Improvement Team. In Windsor and Maidenhead, the senior LADO has provided a 'Lunch and Learn' session for AfC staff and has attended the school's designated safeguarding lead training in May, and early years designated safeguarding lead Training in March.

Referrals over the last three months have been steady. There has been a total of 37 contacts from Windsor and Maidenhead. The majority of these have been from education, with a high proportion of those from independent fee paying schools. The second highest referrals have been from early years settings. This reflects the national picture for LADO referrals.

6. Overview of the service function and key areas of work

All agencies that provide services for children or provide staff or volunteers to work with children have a duty to contact the LADO where there are safeguarding allegations in respect to employees or volunteers. Behaviours are considered in the context of the four categories of abuse: physical, emotional, sexual and neglect. Behaviour associated with inappropriate relationships or abuse of trust also come under this remit.

LADO procedures may also apply to an individual who works with children, but the allegations or concerns arise in their private life. Allegations can also relate to the partner of the person who works with children, whose response or attitude suggest that their ability to fulfil their role might be compromised.

The LADO has taken responsibility for providing briefings to schools, governors and other settings, including the early years teams, in regards to these regulations.

Oversight of historical allegations

The LADO continues to assist the police and other agencies in relation to non-recent allegations and enquiries. Many of these investigations take place over a number of years and may not involve those who currently work within the Kingston, Richmond or Windsor and Maidenhead boroughs. The LADO has liaised with internal and external agencies as appropriate.

Training and briefing sessions

An important part of the LADO role is to help ensure that local authority and AfC staff, as well as partner agencies, understand the role of the LADO and feel confident in their safeguarding role and responsibilities. To this end, the LADO has attended and provided a number of training and briefing sessions for internal staff as well as external agencies.

Training sessions for foster carers to understand how allegations are managed and two multi-agency training sessions are planned for autumn 2019; these will be available to all three boroughs. All four of these sessions have been facilitated through AfC's Workforce Development Team. A lunch and learn training session has been provided for Windsor and Maidenhead AfC staff. More training sessions are planned for spring 2020.

Local Safeguarding Children's Board

The LADO continues to support the work of the Kingston and Richmond Local Safeguarding Board, and the Windsor and Maidenhead Board. Currently the LADO does not sit on any subgroups.

Given the number of current high profile cases that are managed by the LADO the Associate Director for Quality Assurance and Review currently attends both sub-groups representing the LADO, family group conference, child protection conference and independent reviewing services.

The LADO data set, performance and key findings are fed into the Kingston, Richmond, and Windsor and Maidenhead Quality Assurance Local Safeguarding Children’s Board Sub-Group by the Associate Director for Quality Assurance and Review.

7. Activity and analysis

There have been 433 referrals and professional consultations into the LADO for year ending March 2019. This is broken down to 171 in Kingston and 169 in Richmond, and since January 2019, 104 in Windsor and Maidenhead.

During the first three months of the new LADO centralised service for AfC, there has been a steady rate of contact with LADO across all three boroughs.

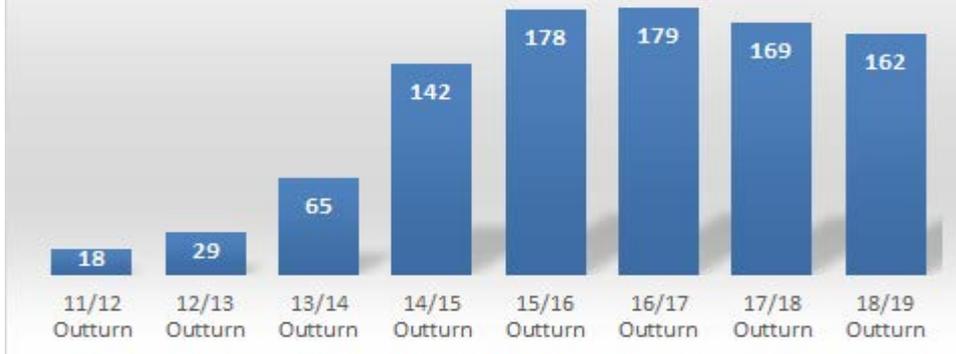
	Richmond	Kingston	RBWM
January 2019	18	13	12
February 2019	16	15	10
March 2019	19	24	15

While Windsor and Maidenhead figures are less than Kingston and Richmond, there is an anticipation this will increase as the new service develops, training is delivered and confidence in agencies making referrals continues to improve. Reviewing the figures for Windsor and Maidenhead during January, February and March 2018 it would appear there is a marginal increase during the same period last year when Windsor and Maidenhead’s LADO reported 30 referrals.

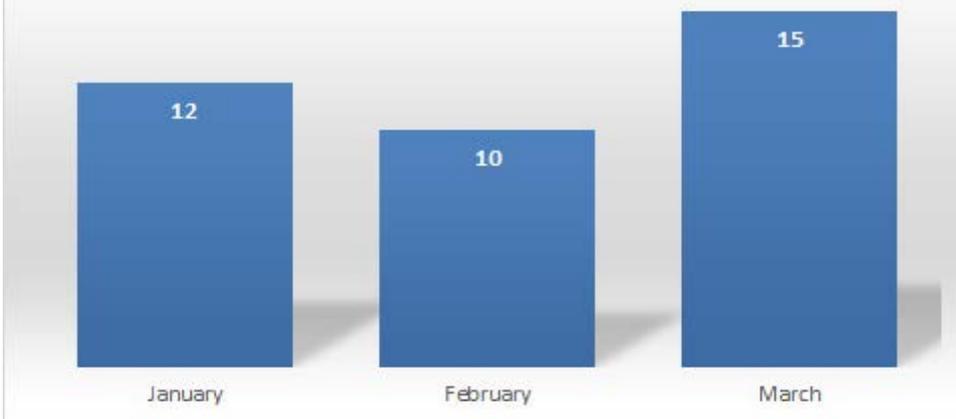
Total number of LADO referrals in Kingston 2011 - 2019



Total number of LADO referrals in Richmond 2011-2019



RBWM referrals made to LADO 2019



Recording is robust for all cases, whether or not they meet the LADO threshold for involvement and files are kept for reference. It is important that cases where the LADO has only provided advice and information are recorded as such, as whilst on their own may not require a LADO response, they may in the future demonstrate concerns with the practice of individuals or settings. Careful attention is paid to the requirements of the Data Protection Act and, if settings call for advice regarding a particular staff member, they are advised to share this with the staff member.

The LADO may receive requests from those who are the subject of allegations for a copy of LADO records through a subject access request and all parties are reminded of this during the management of allegations meeting. Third party or organisation sensitive information may be redacted by the LADO as appropriate.

The referral data above includes all contacts with the LADO, regardless of whether they have met the threshold for a formal response.

LADO allegations against staff and volunteer (ASV) meetings are held where allegations are such that they may require a multi-agency response and involve both children's services and the police (generally the Child Abuse Investigation Team) alongside the employer (named designated safeguarding officer) and often human resources advisor or voluntary organisation.

LADO allegations against staff and volunteer meetings are held under the guidance for managing allegations against adults who work with children as outlined in 'Working Together to Safeguard Children' 2013, 2015 and 2018 and Department of Education Statutory Guidance 'Keeping Children Safe in Education' 2018.

AfC LADO procedures follow section 7 of the Pan London Child Protection Procedures.

The ASV meeting draws together three possible strands of enquiries: the police in relation to possible criminal matters, social care in relation to the needs of any child or young person, the employer in relation to disciplinary and employment matters, including support to the adult about whom the allegations pertain.

With LADO referrals that require an ASV meeting, often some time can be taken to ascertain further information, the police may ask a setting to speak to individuals to gather more information, or a setting may begin a process of investigation before a LADO ASV meeting takes place, so that LADO can advise during an investigation by a setting. If a LADO ASV meeting is required, these are normally held within five working days.

It is sometimes necessary to gather together a number of individuals from organisations at very short notice. The case example below is heavily redacted, however it is an example of where the LADO service needed to act on the same day, where immediate safeguarding advice and employment decisions were required immediately. In these urgent meetings, all parties can agree next steps and implement immediate safeguarding decisions, and consider the timeliness of suspension of staff. It is vital when police wish to pursue a criminal investigation, that no actions advised by LADO or undertaken by an employer will damage a criminal investigation.

Case example: LADO ASV meeting held within 24 hours of referral by a school

Referral received to LADO following significant concerns about a teacher.

LADO coordinated with police and an urgent ASV meeting involving all relevant professionals was arranged the same day. This meeting shared appropriate information, considered risk to children and agreed next steps. Immediate safeguarding advice was provided and action taken. The police arrested the member of staff at the point of suspension.

If an allegation does not require police or children's social care involvement, the LADO will support the organisation to investigate, following their own internal procedures and can advise regarding disciplinary, training and policy matters.

All referrals and consultations are checked on the LADO database for any previous involvement, and if there is a specific child identified, the Single Point of Access (SPA) or Multi-agency Safeguarding Hub (MASH) will check the child's electronic file to ascertain if they are known to children's social care.

There are a high number of requests for support and advice which the LADO will scrutinise even if they do not meet the formal thresholds for intervention. In these cases, the employer is responsible for acting upon advice, implementing local conduct or performance processes and making recommended changes to their local practice or policy. It is these borderline or complex situations that require careful attention.

Advice for employers or those responsible for volunteers is always given in writing and this was acknowledged as good practice by Ofsted during Richmond's inspection last year.

The way the LADO offers this advice has been updated around a 'Signs of Safety model' for when more detailed and informative response is required.

"Cases are followed up in writing, including those that do not meet the threshold for a strategy meeting, and this is good practice."

Richmond Ofsted Inspection 2017

'Anonymised example of LADO advice given to an employer where threshold for a multi-agency, ASV meeting was not met but advice was still provided:

Dear

Following our conversation this afternoon, as promised, here is my advice in writing.

Date: 01 January 2020

LADO: AVS

Setting/Referrer: Designated Safeguarding Lead (DSL) *School*

Reason for referral: Member of teaching staff has reportedly shouted loudly in a child's ear, spitting at her in doing so, which she was in the lunch hall. This took place when she refused to attend an A Level practical exam when it had been rearranged for her.

LADO risk analysis: The concern is the member of staff lost their temper and lost control, and acted inappropriately.

Protective Factors: The member of staff is trying very hard to support the child to undertake her A levels and do well, they are making arrangements to support the child. There are no other concerns linked to the teacher, and no previous safeguarding issues.

Grey Areas: This pupil is very challenging, and increasingly difficult for staff to manage her behaviour. Other students present stated that the teacher did shout at her, but not so loudly that the member of staff spat.

Risks: It is clear the teacher did act inappropriately as per witness statements. This could indicate the teacher is struggling to manage this pupil's behaviour.

Overall Analysis of the contact: having reviewed the information, this matter does not meet threshold for a LADO ASV meeting. This is because there is no indication that this member of staff has harmed this child, or intended to harm this child.

Policy: Keeping Children Safe in Education 2018. London CP Procedures, ASV part 7.

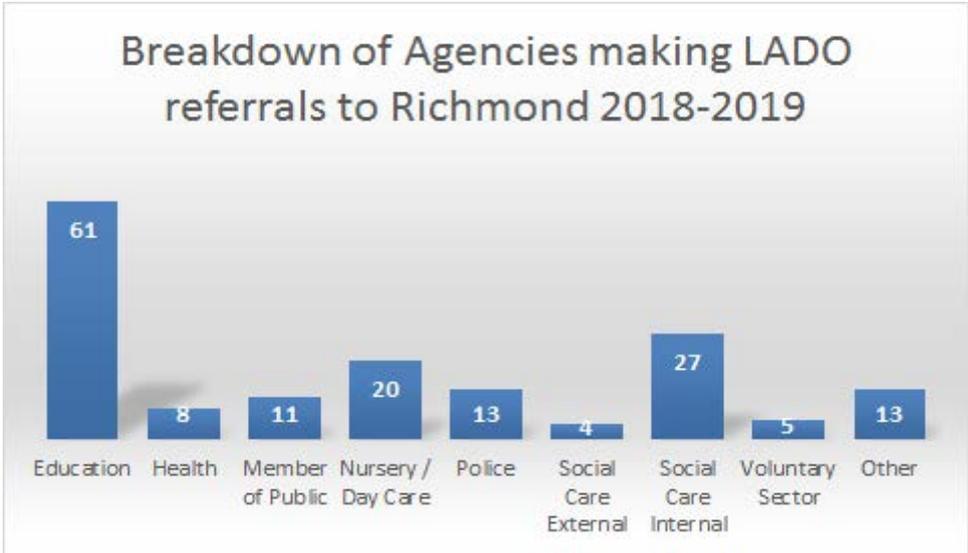
Recommendations: The school need to complete an internal investigation, as per procedures. Consideration should be given to the member of staff receiving additional support to manage challenging behaviour, and staff may require more support dealing with this pupil, as her behaviour is challenging a number of staff at this time.

With kind regards

The LADO database, which is held by the AfC Quality Assurance and Review Service was implemented in April 2014 and is kept up-to-date with all relevant information by the LADO business support officer. All historical files for Kingston and Richmond are contained within this database. Since April 2019, Windsor and Maidenhead is now included in the AfC LADO data recording. Data is colour coded to reflect the status of each case, including hyperlinks to strategy discussions and LADO minutes. This data is provided by the LADO to Windsor and Maidenhead, Kingston and Richmond Children’s Social Care Performance Boards on a monthly basis and forms part of the monthly data set.

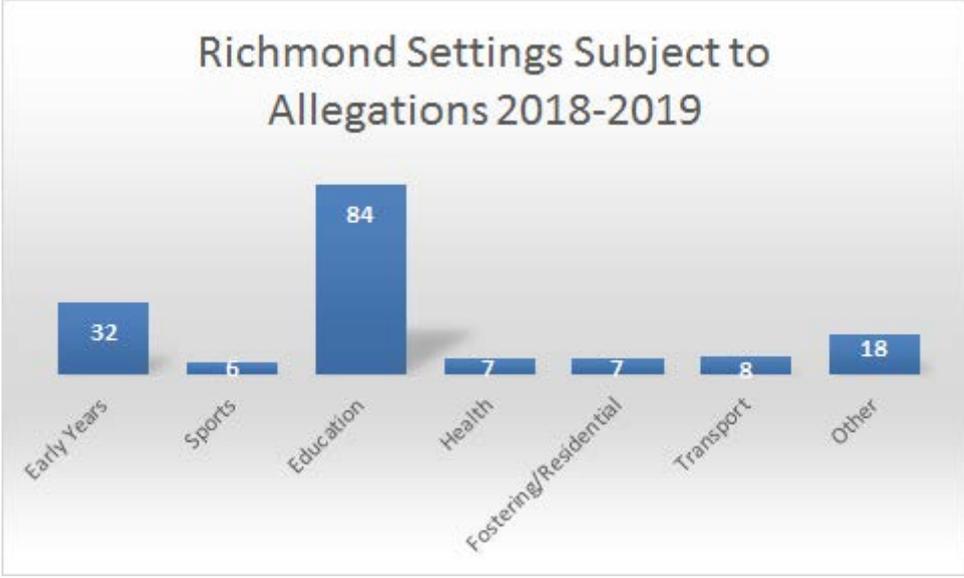
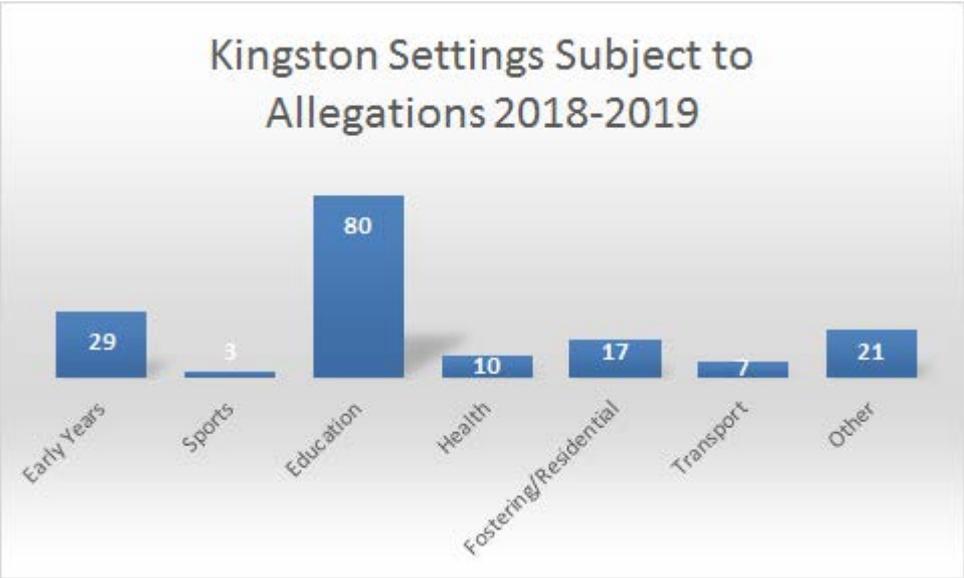
The Integrated Children’s System (ICS) has a LADO hazard indicator which clearly shows if there is LADO involvement with a particular child. The hazard tab does not provide specific information regarding investigation, but asks that practitioners contact the LADO for further information.

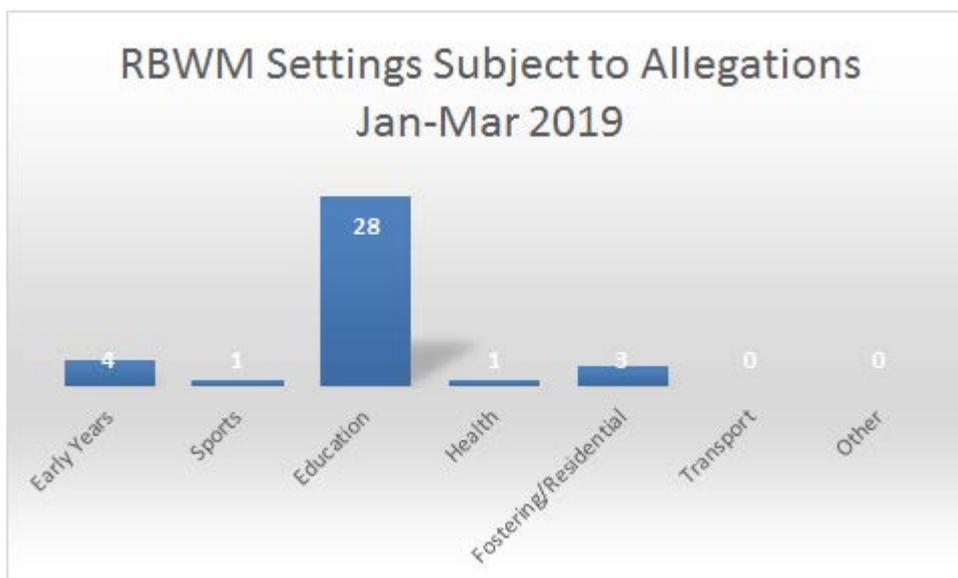
Referrals come from a variety of settings and sources. It is not always the setting that makes the referrals themselves, as demonstrated in the following graphs.



As with our LADO colleagues, in neighbouring boroughs, the greatest proportion of contacts and referrals come from education. This is in line with national statistics and indicates a greater level of understanding of Safeguarding and the LADO role and need for referral.

The police and children’s social care also make referrals into the service. The police will often make a LADO referral if they have investigated a criminal offence, and they realise through their own investigation that the alleged perpetrator works with children, or can have access to children through volunteering. Referrals from health have remained stable, with positive relationships between all health organisations across the boroughs.





Since last year there has been a significant increase of referrals and consultations which relate to schools and colleges, this data also includes private tutors, and peripatetic teachers. Last year in Kingston, the referrals and consultations involving or deriving from education was 49, this year it is 80. In Richmond there were 42 referrals for education, and this year there are 84.

The LADO continues to work closely with schools, early years providers and AfC's Early Years Team to assist in training and policy development. The LADO provides ongoing support to these settings, in the form of written advice and guidance, regardless of whether a particular allegation requires a multi-agency investigation. In Windsor and Maidenhead, the LADO has provided training to both school DSLs and early years providers and will continue to do so.

Referrals are also made to the LADO where there are concerns raised in relation to someone's private life, rather than allegations as a direct result of their position within the children's workforce. In Kingston there were 33 such referrals and in Richmond there were 34. In Windsor and Maidenhead there have been seven since January 2019.

Referrals regarding private lives often come from social workers within Children's Social Care (internally and externally) who become aware that an adult, within a family that they are working with also works or volunteers with children.

Reports from social workers demonstrate that they appreciate being able to seek advice early in their case work, even if ultimately the threshold is not met for disclosure to an employer.

The LADO will discuss these cases with social workers to determine if there is a need to inform an employer about safeguarding concerns. Ordinarily, the LADO may suggest that the threshold is met to consider disclosure to employers if children are made the subject of a child protection plan. There are circumstances where this would be considered earlier if there were grave safeguarding concerns in someone's private life that we felt impacted on their ability to keep children safe in their professional role.

The LADO would always wish to give individuals the opportunity to make their own disclosure if possible, with support from the allocated social worker to ensure that information shared is honest and transparent. If a parent refuses to make a disclosure, the LADO and social worker will risk assess and evidence why a breach in confidentiality is appropriate.

The LADO works closely with Children's Social Care, particularly the MASH for Windsor and Maidenhead and the SPA for Kingston and Richmond, where concerns are highlighted in relation to those that care for children but in an unregulated environment, such as privately employed nannies or tutors.

8. Achievements in the year 2018/19

- AfC now manages LADO referrals and consultations for the Royal Borough of Windsor and Maidenhead.
- Positive feedback regarding the LADO service from education providers across all three boroughs.
- Continued participation in the London LADO network as the London regional Representative. AfC LADO also attends the Berkshire LADO Groups and the South East regional LADO Meetings.
- AfC LADO, Croydon LADO, and City of London LADO planned and facilitated the National LADO conference at the City of London, attended by 170 LADOs from across England and Wales.
- AfC LADO became the national LADO network chair for the National LADO Network for year 2019/2020.
- AfC LADO provided training at the 'Safe in Faith' conference in Kingston and Richmond.
- AfC LADO sits on the Southwark Diocese quarterly Safeguarding Panel.
- Positive feedback from a range of partner agencies following their contact with the LADO service.
- Head of Service commissioned to provide independent safeguarding advice to a local national governing body.
- Managing, overseeing and contributing to a number of large scale complex abuse investigations.
- Contributing to a Richmond serious case review.

- Produced an advice leaflet shared across all three boroughs for parents and carers considering hiring a private tutor.

9. Service priorities 2019/20

- To run training for foster carers, education and early years on managing Allegations across all three boroughs.
- To launch a new LADO referral form, accessed securely online.

- To produce a quarterly LADO newsletter for education and early years settings.
- To produce an advice leaflet for parents and carers considering hiring a private nanny or babysitter.
- A new LADO Structure to be implemented. There will be a head of service for LADO, a LADO and a new role of referral and coordinator for LADO.