

NORTH LINCOLNSHIRE COUNCIL

**CHILDREN AND FAMILIES
CABINET MEMBER**

**MANAGING ALLEGATIONS AGAINST PEOPLE WHO WORK WITH CHILDREN
ANNUAL REPORT 2019/20**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To present the Cabinet Member with the Managing Allegations Against People Who Work With Children Annual Report 2019/20

2. BACKGROUND INFORMATION

- 2.1 The Local Authority Designated Officer (LADO) post sits within the Independent Reviewing Service alongside two Child Protection Conference Chairs, four Reviewing Officers and a Service Manager who are qualified Social Workers with significant safeguarding backgrounds and experience.
- 2.2 The LADO's duties are outlined in statutory government guidance Working Together To Safeguard Children 2018 and set out in the Children's Multi Agency Resilience and Safeguarding (MARS) Managing Allegations against People who work with Children policy and procedures.
- 2.3 The work of the LADO includes providing advice and guidance to professionals and agencies where they have concerns about a person working in a position of trust with children and young people.
- 2.4 The LADO provides oversight and coordination of allegations against people who work with children, as well as advice and guidance to agencies, to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process. The procedures detail that an allegation may relate to a person who works with children who has:
- Behaved in a way that has harmed a child, or may have harmed a child
 - Possibly committed a criminal offence against or related to a child; or
 - Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

- 2.5 The Annual Report provides an overview of the activity and impact of the Local Authority Designated Officer (LADO) function in the year 2019-20. This includes an analysis of the allegations reported to the LADO, including the responses and outcomes. Finally, the report identifies strengths and learning, making recommendations aimed at further strengthening of the system to help ensure children remain safe in professional and organisational settings. Significant progress has already been made in implementing the recommendations set out in the annual report, including the delivery of a number of briefings and training events.
- 2.6 The report provides information to the MARS (Multi Agency Resilience and Safeguarding) Board to assist in its role in ensuring the effectiveness of the MARS Managing Allegations against People Who Work with Children policy and procedures in safeguarding and promoting the welfare of children and in maintaining a safe workforce.
- 2.7 Key highlights in the report are as follows:

- **Local Arrangements**

Local arrangements are robust. The LADO function includes an offer of training and support for teams and services where a need for development or further information has been identified. This is over and above the core training offer, which is delivered as part of the level 2 Safeguarding Training course for all new starters and those requiring a refresh. During 2019/20 this additional offer has included attendance at team meetings and a number of workshops and bespoke training events as identified in the previous year's action plan.

- **Number of Referrals**

Over recent years, the number of referrals has remained broadly consistent, with a small reduction in 2019/20.

- **Overall Outcomes**

The LADO annual report provides details of the outcomes resulting from the 22 concluded investigations in 2019/20. Even when the threshold is not met for concluding that an allegation is substantiated, a range of measures are used to keep children safe and by employers to improve their safeguarding practices and procedures.

- **Timescales**

Performance for concluding allegations within a 1 month timeframe has reduced slightly this year due to the higher number of more complex

investigations, however the majority at 68% were concluded within a 3 month timescale. The main factor determining investigations longer than 3 months is when police enquiries are complex.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1 – The cabinet member receives and notes the Managing Allegations Against People Who Work With Children Annual Report 2019/20.
- 3.2 Option 2 - That further revisions are required to the Managing Allegations Against People Who Work With Children Annual Report 2019/20.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 is the preferred option. The report provides an overview of the effectiveness of the implementation of the Children’s MARS Managing Allegations against People who work With Children policy and procedures, and sets out a number of recommendations for further strengthening of system and practice in 2020/21.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 Not applicable

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 North Lincolnshire continues to operate a high quality LADO service that is statutorily compliant, that operates with clear policy and procedure that is robustly embedded in practice and plays a key role in ensuring children are safe. The LADO function plays a key role in promoting and ensuring that the Council and other organisations are supported in maintaining safe working practices and a safeguarding workforce.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 7.1 Not required

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 8.1 Whilst there are no specific outcomes from consultation in relation to the annual report, the views and experiences of children, young people, families and partners remain at the centre of all we do.

9. **RECOMMENDATIONS**

- 9.1 That the Cabinet Member for Children and Families receives and notes the Managing Allegations Against People Who Work With Children Annual Report 2019/20.

DIRECTOR OF CHILDREN AND COMMUNITY RESILIENCE

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Date: November 2020

Background Papers used in the preparation of this report:

- Managing Allegations Against People Who Work With Children Annual Report 2019/20

SAFE WELL PROSPEROUS CONNECTED

Managing Allegations Against People Who Work with Children

Confidential Annual Report of the work and impact of the Local Authority Designated Officer

Reporting Period	April 2019-March 2020
Report of	Local Authority Designated Officer
Report to	Mick Gibbs - Director of Children and Community Resilience Multi-Agency Resilience and Safeguarding Partnership
Report Originator	Joanne Wilson, Service Manager
Date of Report	July 2020

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1. Purpose of Report

This report provides an overview of the activity and impact of the Local Authority Designated Officer (LADO) function in the year 2019-20. This includes an analysis of the allegations reported to the LADO, including the responses and outcomes. Finally, the report identifies strengths and learning, making recommendations aimed at further strengthening of the system to help ensure children remain safe in professional and organisational settings.

This report provides information to the MARS (Multi Agency Resilience and Safeguarding) Board to assist in its role in ensuring the effectiveness of the MARS Managing Allegations against People Who Work with Children policy and procedures in safeguarding and promoting the welfare of children and in maintaining a safe workforce.

2. Context

The statutory requirements for managing allegations are outlined in Working Together to Safeguard Children 2018 and Keeping Children Safe in Education 2020. This statutory guidance places a duty on local authorities to make arrangements to promote co-operation to improve the wellbeing of all children in the authority's area. Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

This includes having clear policies in line with those from the MARS for dealing with allegations against people who work with children. Such policies should make a clear distinction between an allegation, a concern about the quality of care or practice or a complaint.

An allegation may relate to a person who works with children who has:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child;
- or behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

The LADO process applies to paid, unpaid, volunteer, casual, agency and self-employed workers.

It captures concerns, allegations or offences emanating from outside of work, as well as within a person's paid or unpaid role working with children.

3. Local Arrangements

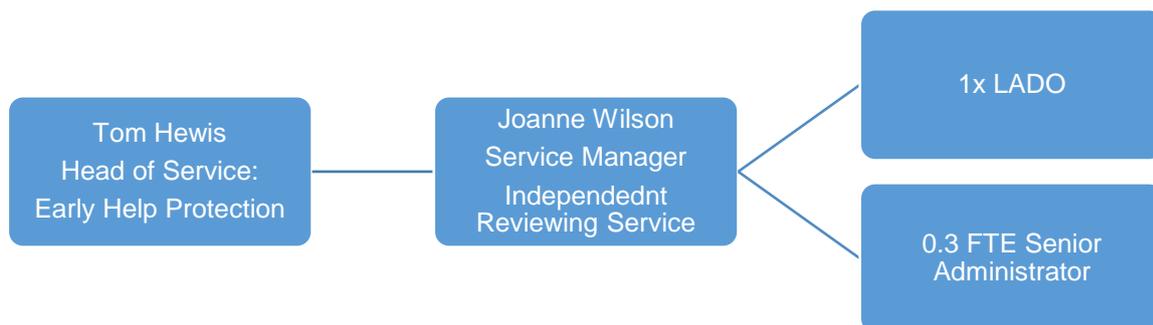
The LADO provides coordination and oversight of allegations against people who work with children, as well as advice and guidance to agencies, to ensure that they are dealt with as quickly as possible, consistently with a thorough and fair process.

LADO arrangements in North Lincolnshire are undertaken by a dedicated, full time officer, working within the Independent Review Service as part of the broader safeguarding functions of this service.

The LADO is a qualified social worker with significant and relevant safeguarding experience in relation to children and families. The current post holder has a strong background in statutory social work practice, with excellent local knowledge of the wider safeguarding and children’s system.

Alongside core activity in relation to the managing allegations process, 2019/20 has seen the LADO further strengthening professional relationships across the children’s partnership with employers and professionals, and help embed robust coordination of the Managing Allegations process.

The management arrangements for the LADO are as follows:



The LADO function includes an offer of training and support for teams and services where a need for development or further information has been identified. This is over and above the core training offer, which is delivered as part of the level 2 Safeguarding Training course for all new starters and refresh. During 2019/20 this additional offer has included attendance at team meetings and a number of workshops and bespoke training events as identified in the previous year’s action plan.

4. Activity and Performance

A significant part of the LADO’s role in North Lincolnshire is assisting managers at all levels to assess the risk that the employee causing concern may pose; sometimes

discussing the concerns in a multi-agency meeting called an Initial/Review Joint Evaluation Meeting with coordination and guidance from the LADO.

Some situations when there are no multi-agency meetings will still necessitate the employer taking some action around the employee in managing the concerns, sometimes invoking management sanctions and possible disciplinary action. A meeting is not always necessary when the employer and Human Resources support are clear about the course of action they want to take, and it falls outside the allegation criteria outlined on page 3.

There were 28 Initial Joint Evaluation Meetings held in 2019/20 compared to 29 the year before. The number of review Joint Evaluation Meetings increased over the same period from 38 to 55, as some complex cases required multiple follow-up meetings.

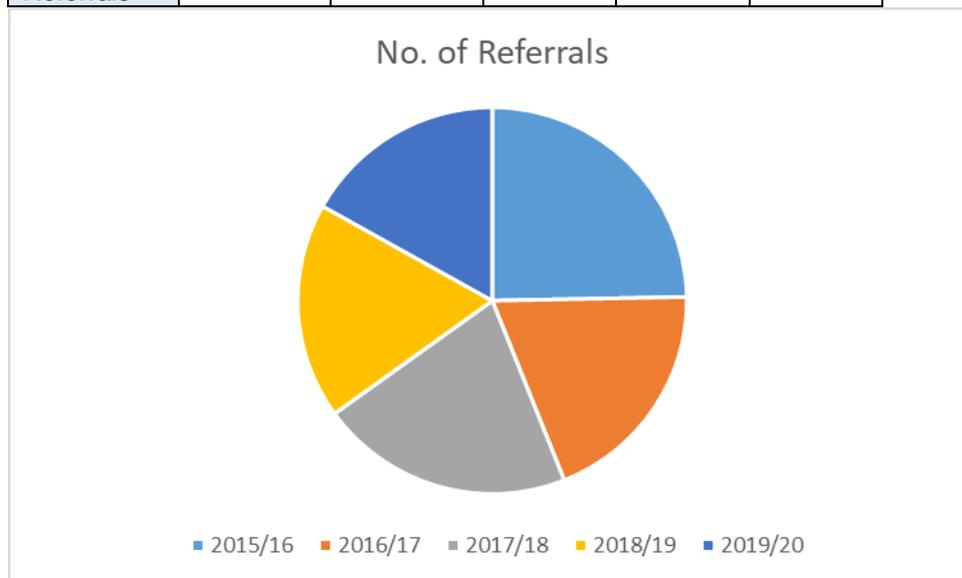
4.1 Allegations resulting in the referral being scoped in

There were 28 referrals scoped in under the Managing Allegations Procedures from April 2019 to March 2020. This compares with 30 in 2018-2019 which demonstrates similar levels of activity over the last 2 years.

There were 3 allegations from 2018/19 carried forward to 2019-20 due to the need for police investigations to conclude. 6 cases from 2019/20 have been carried forward to 2020/2021 as a result of ongoing police investigation or forensic analysis.

Activity in the last 5 years

Year	2015/16	2016/17	2017/18	2018/19	2019/20
No. of Referrals	41	32	35	30	28



4.2 Consultations that did not meet the scope but required advice and guidance

The LADO recorded 114 consultations throughout the year 2019/20 that required advice and guidance and follow up enquiries but which did not meet the scope for Managing Allegations procedures. This compares to 114 consultations from the previous year and again shows a consistent picture in relation to the need for agency advice and guidance.

The biggest source of calls requiring a consultation are from education establishments and often relate to care and practice issues that, whilst not meeting the scope of formal procedures often require independent oversight, advice and guidance.

4.3 Referrals that were scoped in

The source of referrals scoped in under the Managing Allegations procedures during 2019/20 were as follows:

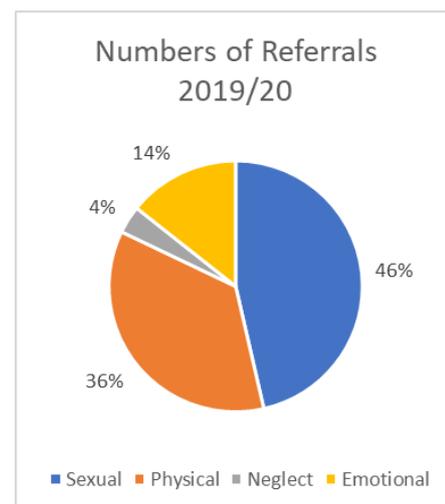
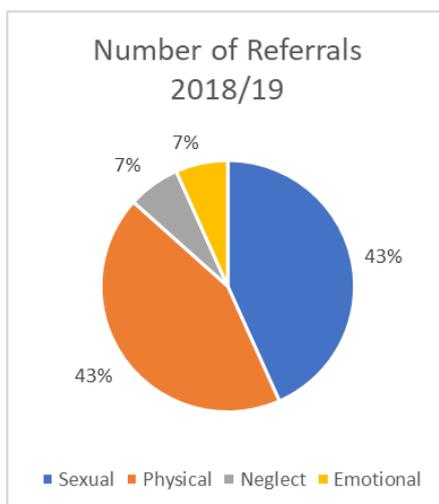
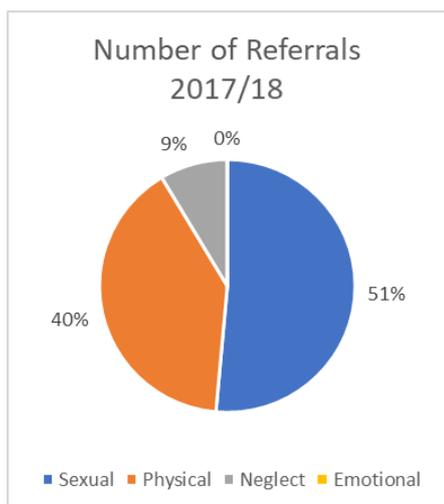
Employment Sector	No. Referred 2016/17	No. Referred 2017/18	No. Referred 2018/19	No. referred 2019/20
Social Care:	7	10	5	2
Education Teaching & Non-Teaching Staff Schools Colleges	11	14	15	13
Independent Care (health care) Contracted Support Drivers Independent Foster Carers and homes	11	6	5	11
Voluntary Organisations And volunteers	3	3	5	2
Police	0	0	0	0

Due to the relatively small numbers involved, drawing conclusions from the data must be done so with caution. The key features of the data from 2019/20 are as follows:

- A further reduction in the number of scoped in allegations from the Social Care sector. The LADO will continue to offer additional training and promote awareness to social care teams, services and foster carers.
- Education continues to be the area with the highest number of allegations, reflecting the size of the workforce. In response we will continue to provide bespoke training to schools to promote awareness and understanding of the Managing Allegations process.
- An increase in referrals from the Independent Care sector. This is a broad category and includes independent foster carers and homes, health professionals and contracted transport. The range of settings from which allegations were raised demonstrates a broad awareness of the roles and responsibilities around managing allegations across employers
- The voluntary sector has seen a decrease from 5 scoped in allegations to 2.

4.4 Categories of Abuse

Category	Number of Referrals 2017/18	Referrals as %	Number of Referrals 2018/19	Referrals as %	Numbers of Referrals 2019/20	Referrals as %
Sexual	18	51%	13	43%	13	46%
Physical	14	40%	13	43%	10	36%
Neglect	3	9%	2	7%	1	4%
Emotional	0	0%	2	7%	4	14%



There are some different trends and patterns in relation to the category of harm in the year 2019/20 with sexual harm presenting as the predominant category although

the numbers remaining the same as the previous year. The category of emotional harm has doubled since the previous year and relates primarily to employees involved in internet crime and safeguarding enquiries into their own children.

There has been a small reduction of the physical harm category from 43% to 36% which could be attributable to a focus on what constitutes as physical harm within LADO advice and guidance and training. However it is normal for numbers to fluctuate over time given the relatively small numbers involved.

4.5 Outcomes of Allegations

Of the 28 allegations scoped into the Managing Allegations procedure for the year 22 were concluded. 6 remained ongoing as of the 31st March 2020. Of the 6 cases carried forward all have ongoing police investigations. 1 was awaiting an internal disciplinary investigation.

Of the 22 concluded the outcomes were:

Concluded Outcomes	
Substantiated	2
Unsubstantiated	11
Unfounded	4
Malicious	0
False	5

There were 3 allegations carried forward from the 18/19 and 1 from 17/18 which was a historical police enquiry that was concluded within a criminal court in 19/20

The following definitions should be used when determining the outcome of allegation investigations:

- Substantiated: there is sufficient identifiable evidence to prove the allegation
- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- False: there is sufficient evidence to disprove the allegation
- Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

The additional definition of 'unfounded' can be used to reflect cases where there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances.

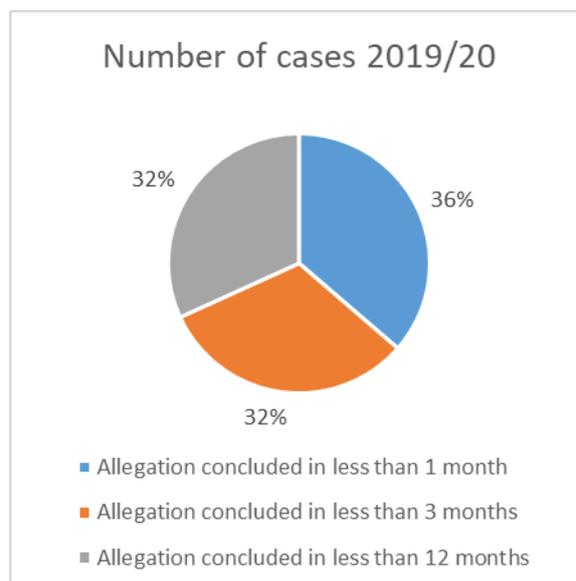
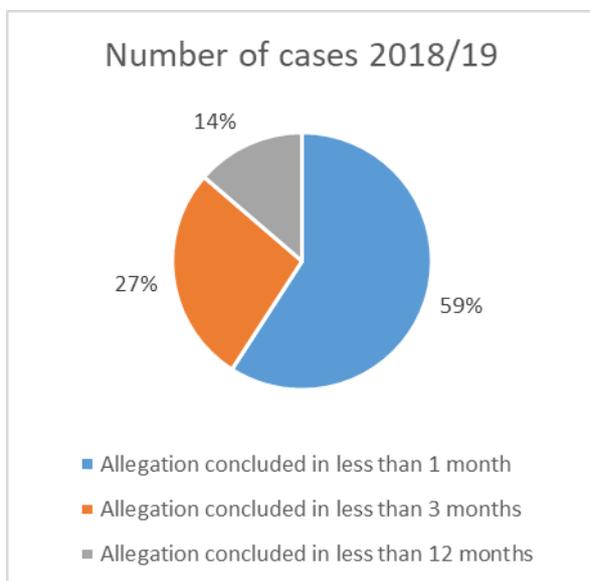
The highest proportion of outcomes is unsubstantiated, however in all of these cases the investigation was warranted given the initial concerns, and children's safety was improved as a result of the actions taken. For example, almost half of the unsubstantiated allegations led to either a requirement to be reassessed for approval

for such roles as childminder or foster carer before resuming practice or a referral to the Disclosure and Barring Service.

There is an increase this year in the number of allegations concluded as false. These are all in respect of Education matters and in 3 of them relate to the employees own children.

4.6 Timescales

Timescales	Number of cases 2018/19	Cases as %	Number of cases 2019/20	Cases as %
Allegation concluded in less than 1 month	13	59%	8	36%
Allegation concluded in less than 3 months	6	27%	7	32%
Allegation concluded in less than 12 months	3	14%	7	32%



The managing allegations procedure outlines the expected timescales for conclusion of an allegation.

Performance for concluding allegations within a 1 month timeframe has dipped this year due to the higher number of more complex investigations, however the majority at 68% were concluded within a 3 month timescale.

The 3 allegations that were lengthier related to awaiting criminal court outcomes and Private law proceedings and disciplinary investigations.

A mandatory duty came into effect in 2012 for employers to refer staff who are removed from their posts for safeguarding reasons to the Disclosure and Barring Service (DBS) for consideration for barring.

In 2019-20 4 referrals resulted in staff being referred to the Disclosure and Barring Service (DBS) in North Lincolnshire by their employer. In addition 1 referral was made to the Teaching Regulation Agency (TLA).

5. Themes and issues

Commissioned transport

The year has seen a marked decrease in the number of consultations and referrals regarding commissioned transport. This is likely due to the previous years' work training and building closer working relationships with Transport and Licensing Services.

Annual review meetings with Transport and Licensing Services are now established. They have helped raise greater awareness and confidence in this area of work and have identified ongoing actions for the year 20/21:

- The Lead Officers for transport and licensing to discuss with Legal Services in respect of how North Lincolnshire can ensure sub-contractors in transport are operating safely with regards to Safeguarding and Managing Allegations obligations around reporting and employment law.
- Offer by the LADO of Managing Allegations Training for transport operators
- Continued improvement of tracking drivers who have had an allegation made against them to ensure they are not working with children in any new employment

Social Care

There has been a marked decrease in the number of Social Care consultations and referrals within the year with no North Lincolnshire employees scoped into the procedure. The LADO already trains all new starters and those requiring refresher training, and has worked with colleagues across children's social care during 2019/20 to raise additional awareness and understanding of roles and responsibilities in managing allegations which had a positive take up from staff and impact on safe practice.

Education

Education referrals are lower than the previous year however remain the highest category.

An identified area of learning during the year has been in relation to School Governor liaison and training in respect of Managing Allegations policy and procedure and safer recruitment. Given the number of school governors across the area and the likely need for out of office hours training this will require a flexible and creative approach to ensure there is a good take up of training and awareness raising from governors.

General Themes and Conclusion

2019/20 has had an increase in referrals for children of employees where there are concerns about their safety within the home. For example cases that involve an employee in a relationship where their partner is either known to or suspected to pose a risk of harm to children and cases where another person in the employee's home is being investigated or suspected of internet crime relating to children.

These matters are often subject to lengthy forensic investigations, risk and need assessments by Children's Services and sometimes court proceedings that impact on the timely conclusion of the Managing Allegations process.

The percentage increase in sexual harm could be a reflection of the increased professional confidence and interagency working in this area of work which has seen more accessible training and awareness raising around child sexual abuse in the family and extra familial contextual harm.

The decrease in foster carer, early years, childminder and commissioned transport allegations may be related to the concentrated training, awareness and support in this area of caring for children.

North Lincolnshire LADO continues to have positive working relationships with Independent External Provider provisions based within North Lincolnshire.

Overall the offer of training, awareness raising and continued professional development coupled alongside effective partnership working has helped to improve both professional confidence and practice in responding to and managing allegations across the children's partnership.

The LADO will continue to consolidate the training, awareness raising and professional development with partners in 2020/21.

6. Progress against recommendations from 2018/19

- 1) The LADO will strengthen relationships with Humberside Police Internet Sex Offenders Team and deliver managing allegations training to that Policing team.

The LADO completed training in February 2020 with Humberside Police Internet Sex Offenders Team who cover the Humber region. The feedback from this training was very positive enabling a strong working relationship with officers within the unit.

- 2) The LADO will work with apprenticeship employment route providers to develop relationships and provide training.

The LADO completed bespoke training with 20 lead officers at North Lindsey College in February 20 who are the biggest provider locally for apprenticeship employment route providers, in Childcare settings / Early Years Foundation / Schools / Teaching qualifications. This was well received and laid the foundations for positive working relationships moving forward.

7. New Recommendations for 2020/21

Action	By Who	Timescale
Named Senior Officers and Deputies list for organisations working with children will be refreshed annually, or more often as required, under the Children's MARS arrangements.	LADO in conjunction with the MARS Board, via the SOG (Safeguarding Organisation Group)	By January 2021
Focus on developing working relationships and consultation regarding training needs with the designated lead officers.	The Independent Reviewing Service Local Authority Designated Officer	By February 2021
A regular LADO forum to be developed online to offer: Advice Guidance training and workshops to keep up to date with current practice and research.	The Independent Reviewing Service in conjunction with the MARS Board	By February 2021
An Annual training Plan	Local Authority Designated Officer	At the start of the next Financial Year
Bespoke training with Schools and School Governance to include updated "Keeping Children Safe in Education" due to be published September 2020	Local Authority Designated Officer in conjunction with the School improvement Team	By February 2021