

Local Authority Designated Officer (LADO) Annual Report

2017/18

Report in respect of managing allegations against adults who work with children



Care, Wellbeing and Learning

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Foreword by Cabinet Member and Strategic Director

We are pleased to introduce Gateshead Council's 2017/18 Local Authority Designated Officer (LADO) annual report, in respect of managing allegations against adults who work with children. As Lead Member for Children and Young People in Gateshead and Strategic Director of Care, Wellbeing and Learning we are deeply committed to ensuring the services provided to our most vulnerable children and young people are effective, ensuring we are meeting our statutory duties and keeping children safe.

Working Together 2018 retained a requirement for Local Authorities to have a designated officer (LADO) whose role is to oversee the safe and effective management of allegations against individuals who work with children.

The Local Authority Designated Officer (LADO) Annual Report 2017/18 sets out the referral data for allegations against professionals and non-professionals working with children, provides profiling analysis of allegations made in Gateshead and an update of the interventions and development work completed since the previous report.

The report highlights a 43% increase in LADO enquiries this year. However the Council, and its partners, through the LSCB, see this as a positive result of improved awareness of the role of the LADO by partner agencies.

The report also highlights the broad remit of the LADO demonstrating their involvement in training sessions and awareness raising activities, chairing child protection conferences and responding to FOI requests.

The requirement of retaining the role of the LADO in Working Together highlights the important work this role plays in multi-agency safeguarding, acting as a link between agencies, to ensure those who work with and may pose a risk to children are identified and effectively managed. We are proud of the work the LADO in Gateshead plays in working with all partners to protect some of our most vulnerable children and young people.

Councillor Gary Haley
Cabinet Member for Children and Young People

Caroline O'Neill
Strategic Director of Care, Wellbeing and Learning

1. Introduction

This report sets out the referral data for allegations against professionals and non-professionals working with children for the period 1st April 2017 to 31st March 2018. The report provides profiling analysis of allegations made in Gateshead and an update of the interventions and development work completed since the previous report.

2. Local Authority Designated Officer Function

Chapter 2 of Working Together to Safeguard Children 2018 and outlines the roles and responsibilities by organisations providing services for children as detailed in Section 11 Children Act 2004.

It remains a requirement that Local Authorities should have a designated officer or team of officers whose role is to oversee the safe and effective management of allegations against individuals who work with children, whether they are employed or working in a voluntary capacity and to ensure that allegations against people who work with children are not dealt with in isolation.

The Gateshead LSCB Inter Agency Child Protection Procedures should be applied in all situations in response to allegations against people who work with children. An electronic referral form can be accessed by clicking on *local information* of section 10 in the contents page. 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.*

All employers of child care staff and volunteers have access to services provided by the LADO. The LADO role is to provide advice and guidance to employers and voluntary organisations, liaising with the police and other relevant agencies and professional bodies in responding to allegations or complaints.

The LADO monitors the process of organisations response to allegations to ensure the thresholds are applied evenly and the outcomes are proportionate.

Part 4 of Keeping Children Safe in Education (2018) provides further guidance for employers in responding to allegations against a person working with children. The guidance is reflected in the Gateshead LSCB Child Protection Procedures about how organisations should respond as the procedure is equally applicable to non-educational organisations.

Keeping Children Safe in Education (2018) states the following definitions should be used when determining the outcome of an allegation:

- **Substantiated:** there is sufficient 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.
- **Unfounded:** No proper basis on which the allegations is made. The referrer may have misinterpreted the incident, did not have knowledge of all the circumstances or was mistaken what he/she saw.

While the above outcome definitions are listed in Keeping Children Safe in Education (2018) the definitions are used to record outcomes against professionals or volunteers working in all sectors providing services for children in Gateshead.

Management response to employees in which an allegation has been substantiated range from management advice and support to the individual being dismissed or found guilty of a criminal offence in which case a referral to the Disclosure and Barring Unit and professional organisations is submitted.

3. Breakdown of allegations for the period 1st April 2017 to 31st March 2018

The Local Authority Designated Officer (LADO) has management oversight of all individual cases where allegations are made against people who work with children either in employment or as a volunteer. All employers of child care staff and volunteers have access to services provided by the LADO. The LADO role is to provide advice and guidance to employers and voluntary organisations, liaising with the police and other relevant agencies and professional bodies The LADO monitors the process of organisations response to allegations to ensure the thresholds are applied evenly and the outcomes are proportionate.

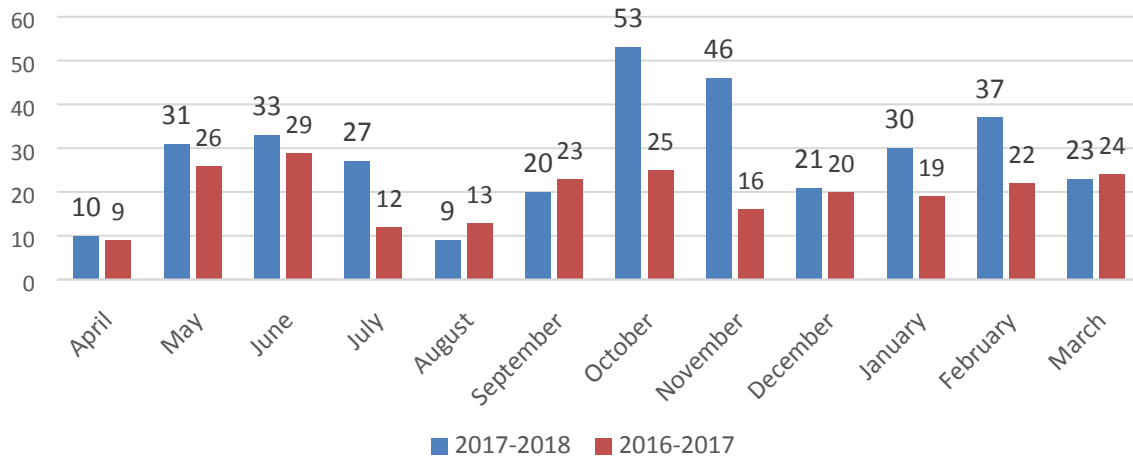
Organisations will contact the LADO to discuss issue of concern that do not meet the threshold for strategy process but require consideration within the LADO process and are then dealt with by the employer with LADO monitoring of process and outcome.

Referrals and consultations are received from the main statutory agencies and voluntary organisations. The main source of referrals for this reporting period has been education, Gateshead Children's Services and the police. Contacts have been received by voluntary agencies including the football association, scout association and the sea cadets.

Between 1st April 2017 and 31st March 2018, there were 340 LADO enquiries. This is 43% increase compared to 2016-2017, when 238 enquiries were captured.

The increase in enquiries by organisations requesting advice on issues that while not meeting the LADO threshold, demonstrates organisations are familiar with the responding to allegations process and the function of the Local Authority Designated Officer to provide advice and guidance to organisations both voluntary and statutory.

Enquiries by month



The increase in contacts by agencies is reflective of improving the data collection of all issues agencies may request guidance from the LADO service but do not meet the threshold of requiring a more detailed strategy meeting/discussion process.

The agencies reflected in the enquires continue to be the main statutory agencies and established larger voluntary organisations such as the Scout Association, sport and athletic Associations and Children’s Charities.

Children’s services from Gateshead and other local authorities make contact with the LADO to discuss child protection cases where parents or adults in the family may be employed by agencies working with children or adults. Consideration is required whether a disclosure should be made to an employer which will require consultation with services to ensure disclosures are appropriate and proportionate. The consultation will take into account the nature of the allegation, potential risk to either children or adults in the professional role and if a police investigation is taking place.

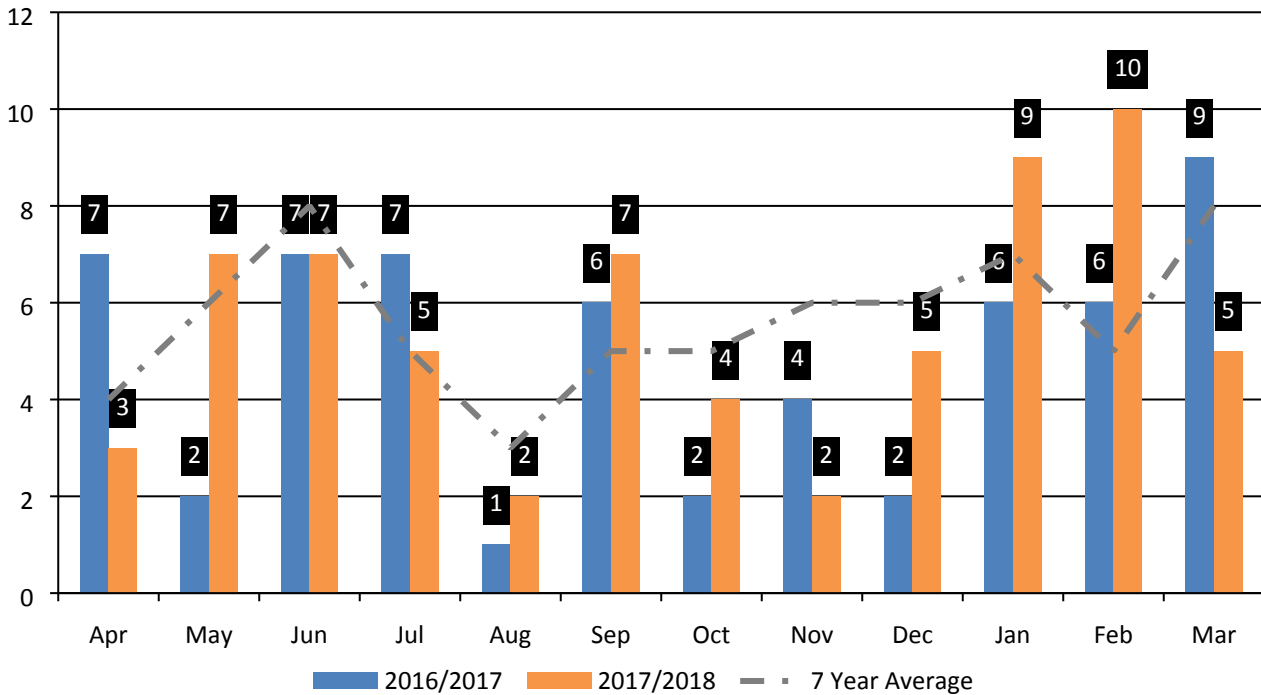
Although the enquiry may not meet the threshold for LADO strategy discussion or meeting, a record is kept of the enquiry and the action taken should a future concern be expressed suggesting a pattern of behaviour requiring more detailed examination.

The database of the LADO contacts and Carefirst are checked as part of the consultation process to allow for any previous agency involvement to be taken into account.

The outcome of the contacts are predominately recorded as LADO advice with those referrals outlined below being considered as more complex and requiring the structure of the multi-agency decision making process.

In the same period, of all the contacts and enquiries there were 64 referrals which were considered as requiring more detailed multi-agency consultation. This is slightly more than the figure of 59 reported last year and remains largely in-line with the 6 year average (as shown below).

Number of LADO Referrals by Month (Gateshead)



The single largest proportion of referrals made involved professionals in schools/colleges (30/64 – 46.9%). This includes teachers (15 allegations), nursery staff (4), head teachers (3), teaching assistants (3) and other school staff including lunchtime supervisors and technicians (5).

Education has the highest area of referrals compared to other sectors providing services for children reflecting the size of the workforce and stringent reporting procedures. All establishments are required to have safeguarding policies in place to ensure designated safeguarding staff, senior management, Governors and non-teaching staff are aware of their role and responsibility to safeguard children.

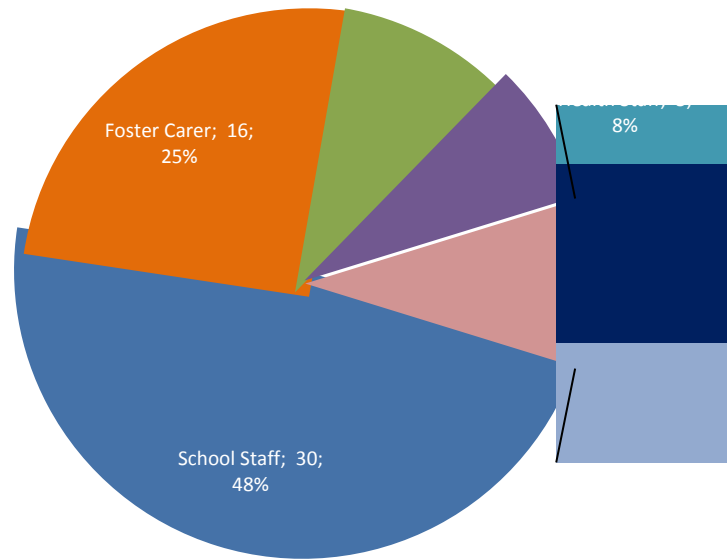
Referrals against teachers/education staff have varied over time – with a high number of 44 being reported in 2013/2014 – however, the 2017/2018 figure appears to be largely in line with numbers reported last year, although as a percentage it is at its lowest since 2014/2015.

- 31 out of 65 in 2011/12 (47.7%)
- 34 out of 56 in 2012/13 (60.7%)
- 44 out of 71 in 2013/14 (61.9%)
- 27 out of 62 in 2014/15 (43.5%)
- 31 out of 64 in 2015/16 (48.4%)
- 32 out of 59 in 2016/17 (54.2%)
- 30 out of 64 in 2017/2018 (46.9%)

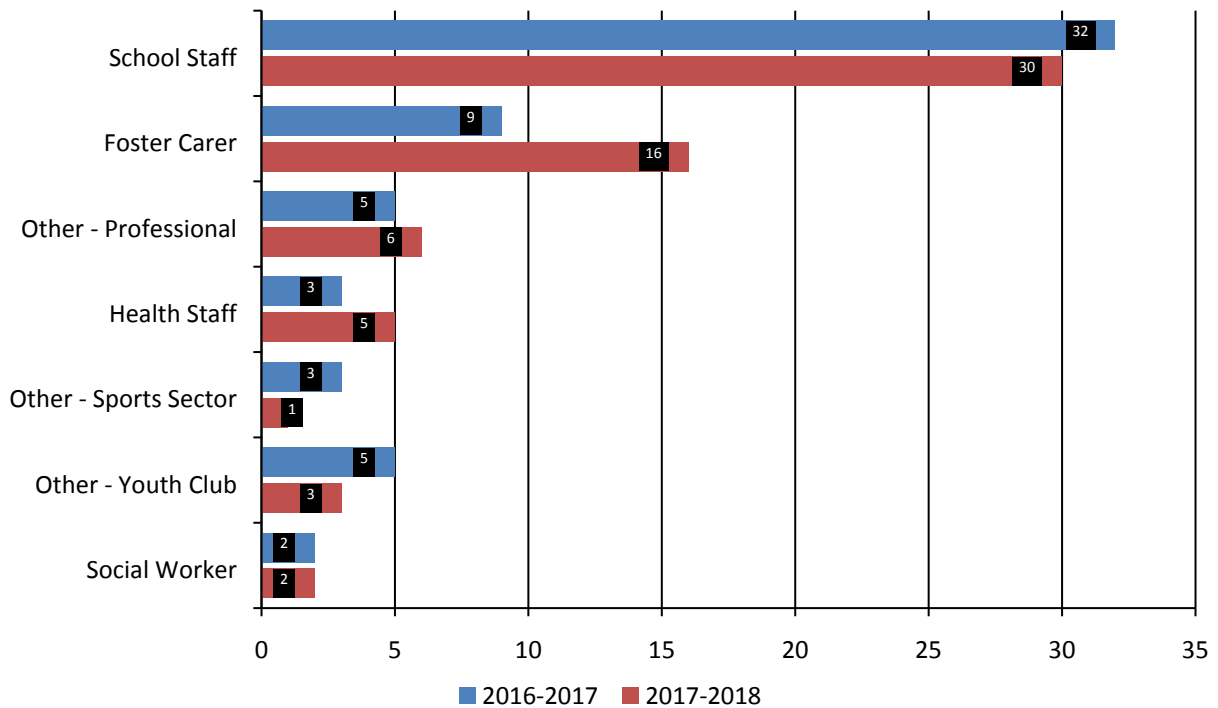
26 of the 30 allegations in the education sector are against teachers and education staff in school settings which would be expected as this is the area where children are in contact with professionals for the greater period of time compared to other activities which take place out of school and mirrors national data.

The other referrals which were made are represented in the chart below.

Referrals by Role 2017/2018



Roles

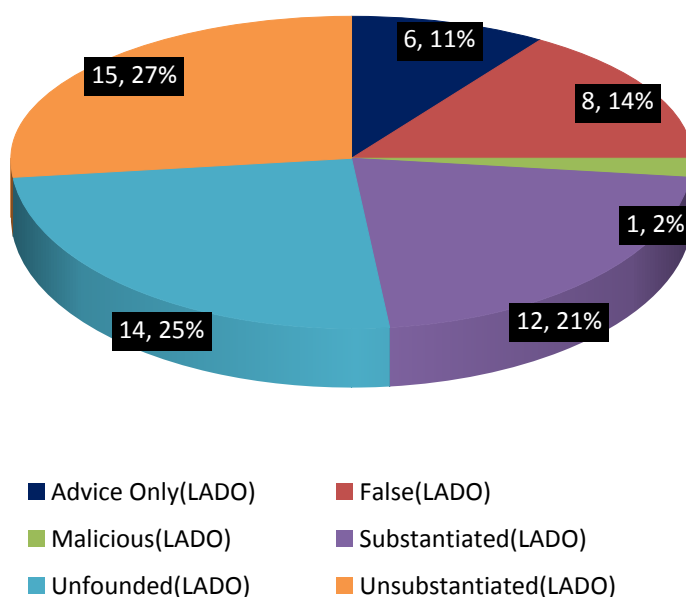


The chart below shows 22 of the referrals made during 2017-2018 had an abuse category of 'physical abuse' (34.4%), 21 were 'sexual abuse' (32.8%), 10 were 'emotional abuse' (15.6%) and 4 fell under the category of 'neglect' (6.3%). In 7 cases there was another category was disclosed at the referral – these cases tended to be raising concerns about conduct of individuals without any specified abuse however the nature of the concerns warranted a multi-agency decision making process.

Primary Category of Abuse	2015-2016		2017-2018	
	No	%	No	%
Physical Abuse	37	62.7%	22	34.4%
Sexual Abuse	12	20.3%	21	31.8%
Emotional Abuse	3	5.1%	10	15.2%
Neglect	4	6.8%	4	6.1%
Other	3	5.1%	7	10.6%
Total	59		64	

4. Concluded cases

**Allegations by Outcome between
1st April 2017 and 31st March 2018**



Substantiated: Where on the balance of probability abuse or harm is confirmed.

Unsubstantiated: Insufficient identifiable evidence to prove or disprove the allegation.

Unfounded: No proper basis on which the allegations is made. The referrer may have misinterpreted the incident, did not have knowledge of all the circumstances or was mistaken what he/she saw.

False: An unfounded allegation which has been made with the deliberate intention to deceive. Some parts may have been fabricated around an actual incident.

Malicious: Deliberate intent to cause harm to the person who is the subject of the allegation. Evidence will be required to prove the intention to cause harm.

Of the 56 cases concluded during the year, 6 resulted in advice only (10.7%), 14 of those cases were unfounded (25%), 12 were substantiated (21.4%), 15 were unsubstantiated (26.8%), 8 were false (14.3%) and 1 was malicious (1.8%).

The number of referrals against foster carers has increased during this reporting period. The number includes local authority foster carers and independent fostering agencies.

The referrals have been from young people who have been with carers on a long term basis for a number of years. Incidents of extreme challenging behaviour and carers struggling in behaviour management is considered a factor for the increase. Each referral is considered as a strategy discussion with the team manager, social worker

and police to agree the initial response. Depending on the nature of the allegation it may be necessary to remove the child and other children in placement to an alternative placement. The decision to remove children from their placement is a significant action and depending on the allegation may not be in the child's best interest.

Of the 16 allegations responded to regarding foster carers during this period:

- 5 were recorded as physical abuse with the outcomes of 1 false, 1 unsubstantiated and 3 substantiated.
- The outcomes for the unsubstantiated and substantiated were additional training and support. One of the substantiated concluded with the carer being de registered and referred to the Disclosure and Barring Service for consideration.
- 4 were recorded as emotional abuse with the outcomes of 1 unfounded, 2 unsubstantiated and 1 substantiated with the carer being subject of a standard of care meeting and additional training.
- 2 were recorded as neglect with the outcome malicious
- 5 were recorded as sexual with the outcomes of 2 advice only and 2 as unsubstantiated and 1 is a continuing police investigation.

Both of the malicious outcomes were based on referrals received from adults in which evidence showed their action was intended to cause harm to the individual.

Standards of care meetings take place where necessary and is viewed as resembling a disciplinary and capability procedure.

The fostering service will provide a report which clearly outlines the practice concerns. The carer attends the standards of care meeting and has access to independent support and legal advice. The process will determine the carer's continued suitability to foster and the final outcome is shared with the LADO.

The process is also reflected in the annual foster care review chaired by an independent reviewing officer who will make recommendations as required to promote the carers fostering role.

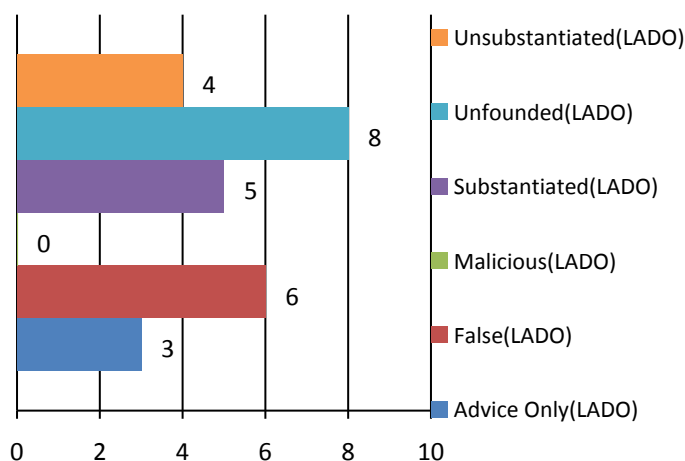
The young person is supported by their social worker and a behaviour management plan and risk assessment will be updated to support the young person and carer through a care team meeting which will be reflected on by the independent reviewing officer at the looked after review.

When looking specifically at outcomes in respect of the 26 cases where the member of staff about whom the allegation had been made worked in the education sector,

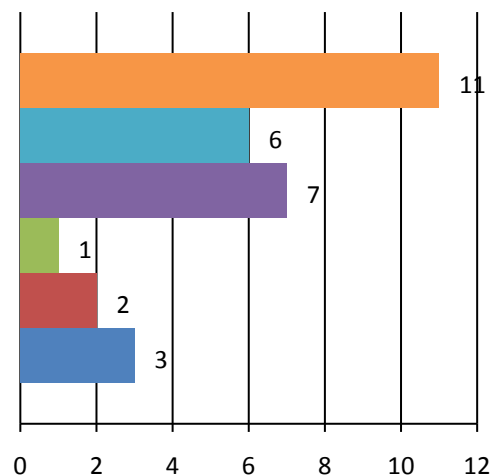
- 5 cases were found to be substantiated (19.2%),
- 8 were unfounded (30.8%),
- 4 were unsubstantiated (15.4%),
- 6 were false (23.1%) and
- 3 resulted in advice only (10.7%).

The education sector consists of early years, primary, secondary, academies and further education. Of the substantiated 2 written warnings were issued with the remainder receiving management advice. The 5 substantiated cases related to teaching staff and 1 driver. The categories were 3 sexual, 1 emotional and 1 physical. 2 of the allegations relating to the sexual abuse concluded in dismissal and referral to the Disclosure and Barring Service. One staff member received a written warning in response to professional conduct following an internal disciplinary process following complaint about professional conduct on two occasions which were recorded as sexual abuse and emotional abuse.

Outcomes for School Staff



Outcomes for other professionals



The below tables show the outcomes of closed cases including the category of alleged abused. Whilst 30% of physical abuse referrals were found to be substantiated in 2016-2017, this dropped to 3 cases (13%) in 2017-2018.

	2016-2017										
	Emotional Abuse		Neglect		Physical Abuse		Sexual Abuse		Other		Total
	No	%	No	%	No	%	No	%	No	%	
Advice Only(LADO)							1	20.0%			1
False(LADO)					2	6.1%					2
Malicious(LADO)			2	66.7%	1	3.0%			1	50.0%	4
Substantiated(LADO)	2	66.7%			10	30.3%			1	50.0%	12
Unfounded(LADO)			1	33.3%	13	39.4%	2	40.0%			16
Unsubstantiated(LADO)	1	33.3%			7	21.2%	2	40.0%			10
Total	3		3		33		5		2		45

	2017-2018										
	Emotional Abuse		Neglect		Physical Abuse		Sexual Abuse		Other		Total
	No	%	No	%	No	%	No	%	No	%	
Advice Only(LADO)			1	25.0%			3	18.8%	2	40.0%	6
False(LADO)			1	25.0%	6	26.1%	1	6.3%			8
Malicious(LADO)	1	12.5%									1
Substantiated(LADO)	4	50.0%	1	25.0%	3	13.0%	4	25.0%			12
Unfounded(LADO)					8	34.8%	4	25.0%	2	40.0%	14
Unsubstantiated(LADO)	3	37.5%	1	25.0%	6	26.1%	4	25.0%	1	20.0%	15
Total	8		4		23		16		5		56

Of the 30 education referrals in 2017-2018, 13 were under the category of physical abuse (43.3%). The outcomes of these cases were as follows:

- 5 were false, 5 were unfounded, 2 were unsubstantiated and 1 was substantiated.

11 of the education referrals were under the category of sexual abuse (36.7%). The outcomes of these cases were as follows:

- 3 cases are still ongoing, 1 was advice only, 3 were unfounded, 1 was unsubstantiated and 3 were substantiated.

2 of the education referrals were under the category of emotional abuse (6.7%). The outcomes of these cases were as follows:

- 1 was unsubstantiated and 1 was substantiated.

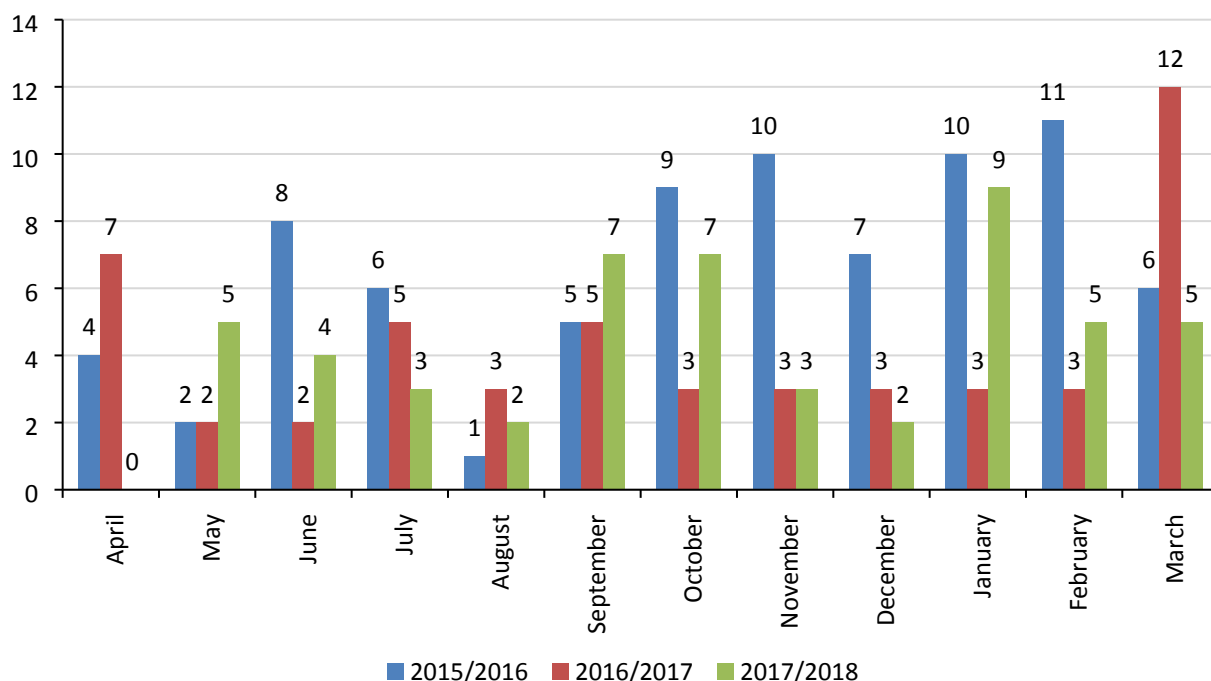
2 of the education referrals were under the category of neglect (6.7%). The outcomes of these cases were as follows:

- 1 was advice only and 1 was false.

2 of the education referrals were under a category of 'other' (6.7%).

- The outcomes of these cases were both advice only.

Strategy Meetings



The above graph shows that there were a similar amount of strategy meetings held in 2017-2018 to those held in 2016-2017 (52 meetings held in respect of 40 individuals this year, compared to 51 meetings held in respect of 32 individuals).

Of the 56 cases resolved during the period, 26 were completed within 1 month (45.6%), 6 were completed between 1 and 2 months (10.7%), 19 were completed between 3 months and 5 months (33.9%), and 5 were completed between 6 months and 12 months (8.9%).

At 31st March 2018, there were 9 cases ongoing. Of these, 2 had been open for less than 1 month, and 7 had been open for 1 – 3 months.

Cases concluded in the time frame of 1-3 months allows professionals and volunteers to be managed appropriately by the agency. Children/young people are supported through the process to ensure appropriate information is shared about how the investigation is conducted and concluded.

Cases that go beyond the 3 month period are low and due to pending outcomes of police enquiries and potential court cases. These cases are regularly reviewed either through the strategy meeting process or direct updates from the investigating officer.

In all cases individuals subject to a police investigation are supported by the employer who provide a named point of contact within the organisation with human resource review of the employee's circumstances. The employee is advised to seek union or alternative independent support while investigations are taking place in addition to having access to occupational health services if required.

The LADO will have direct contact with individuals who are self employed to discuss the LADO process, confirm they have notified a professional body such as British Gymnastics and confirm the individual will not be undertaking any activity either paid or voluntary pending the outcome of the police investigation.

Consideration will also be given to whether the individual has contact with children in their family which would be responded to in consultation with Children Services. In all other cases it is the responsibility of the employer to advise the employee of the LADO process and outcomes.

Once the police have concluded the investigation, if no further action is to be taken the LADO will convene a review strategy meeting to consider the police information and determine an overall outcome to the complaint to inform the organisation's internal process to the required action ranging from management advice/training to dismissal.

5. LADO Developmental Activity 2017-2018

People in positions of trust, who abuse children & young people conference

A number of speakers presented to professionals nationally represented from agencies including police, local authorities and health.

The presentations considered topics including working with perpetrators in positions of trust, operation Yew Tree and human exploitation.

The presentations and workshops gave the opportunity to consider the behaviour of perpetrators in positions of trust, grooming behaviour, safer recruitment and working with organisations to ensure they have robust procedures in place.

5th National LADO Conference March 2018

The 5th National LADO conference was held in Doncaster with attendance including, Hartlepool, Middlesbrough, Sunderland, South Tyneside, Newcastle and Gateshead representing the North East region.

A variety of key note speakers gave presentations covering a wide range of experience in specialist areas from organisations including Disclosure and Barring Service, Marcus Erooga–Editor of ‘Protecting Children and Adults from Abuse After Savile’ The information shared by the presentations and work shops throughout the day were reflective of the day to day work carried out by LADO’s in responding to allegations, providing advice and guidance to organisations and training delivery.

Regional meetings continue to take place on a quarterly basis to consider local issues and practice.

6. Training

During the course of the year LADO has delivered or co-delivered the following training to professionals/volunteers providing services to children:

- 10/5/2017 Staff training at early years setting – role of the LADO and responding to allegations or concerns .
- 24/5/2017 Staff briefing to local primary school - role of the LADO and responding to allegations or concerns.
- 13/7/2017 North East Ambulance Service training - role of the LADO and responding to allegations or concerns.
- 2/9/2017 British Gymnastics conference for club safeguarding volunteers - role of the LADO and responding to allegations or concerns.
- 6/2/2018 Child Protection Conference course
- 21/2/2018 Tyne and Wear Sport: purpose is to offer strategic leadership and operational support to those who run sport in Tyne & Wear – Briefing role of the LADO and develop links with main sport providers.
- 21/3/2018 Briefing to Gateshead commissioning contract team responsible for residential providers on the role of the LADO.

7. Additional Responsibilities

During this reporting period the LADO/IRO has chaired 6 initial child protection conferences and 40 child protection review conferences and holds a small looked after children case load.

During the reporting period the LADO has responded to eight Freedom of Information requests in relation to professionals and volunteers working with children.


- Buzzfeed UK
- Independent research x 2
- NSPCC x 2
- Data news
- The Times newspaper
- BBC

The LADO/IRO is also a panel member or chair for secure accommodation reviews Section 25 of the Children Act 1989.

8. Recommendations

The LADO to continue to contribute to training of managing allegations and promote awareness of procedures for managing allegations with partner agencies.

The LADO to continue to strengthen links with key LSCB partner agencies and private sector employers and organisations to ensure there is a continued awareness about the thresholds and process for managing allegations.



Nicholas Leon
Local Authority Designated Officer, Safeguarding Children Unit

