

Local Authority Designated Officer (LADO)

Annual Report 2018/2019

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



Care, Wellbeing and Learning

Contents

Page

Foreword by Cabinet Member and Strategic Director	3
1. Introduction	4
2. Local Authority Designated Officer Function	4
3. Breakdown of allegations for the period 1st April 2018 to 31st March 2019	5
4. Concluded cases	11
5. LADO Developmental Activity 2018-2019	14
6. Training	15
7. Additional Responsibilities	16
8. Recommendations	17

Foreword by Cabinet Member and Strategic Director

We are both pleased to introduce Gateshead Council's 2018/19 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 passionate about ensuring the services provided to our most vulnerable children and young people by ourselves and with our partners are highly effective in 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 2018/19 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 on the interventions and development work completed since the previous report.

The report highlights the broad remit of the LADO demonstrating their involvement in training sessions and awareness raising activities, chairing child protection conferences and responding 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 important part the LADO in Gateshead plays in working with our partners to protect some of our most vulnerable children and young people.

As we all know safeguarding is everyone's business and we are grateful to you all for everything you do, every day, to keep Gateshead's children and young people safe.

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 2018 to 31st March 2019. 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 are 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 2018 to 31st March 2019

This section presents and analyses performance information drawn from the LADO data base and the Children's Recording System (Carefirst). Work within the LADO service is measured in three main categories

- Consultations, where contact is made with the LADO
- Referrals, where the LADO takes the view that an allegation/concern requires further intervention
- Investigations lead and overseen by the LADO. These investigations are conducted either by police where cases reach a possible criminal threshold, or by employers.

Enquiries

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.

While the current definition in Working Together of the role of the LADO excludes behaviours which are not directed at children, consultation will still take place if the behaviour in their private life raises concern as to the suitability of an adult working with children. For example, where an adult may be a perpetrator of domestic violence in private life

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 number of enquires received over 3 years

- 1/4/2015 to 31/3/2016 104
- 1/4/2016 to 31/3/2017 238
- 1/4/2017 to 31/3/2018 340
- 1/4/2018 to 31/3/2019 123

The LADO provides guidance and advice on a range of organisational safeguarding issues, including safe recruitment, staff behaviour and managing safe environments.

Analysis of the number of enquires recorded for the two-year period 2016 to 2018 are of all consultations received as relating to an organisation in addition to queries relating to individuals who do not work on the children's workforce. The 123 enquiries recorded for this reporting period reflects a more accurate picture of contacts received in which the individual is employed or is a volunteer working with children and is in keeping with the figure of 2015/2016.

While the enquiries may not meet the requirement for a strategy process, each case requires consideration in fulfilling the LADO function of providing advice and guidance and reinforcing the local network for organisations in the Gateshead area.

The table below shows the number of contacts by organisations. Between 1st April 2018 and 31st March 2019

LADO Enquiries 2018-2019														
Agency	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Total	%
Adult Services			1			1			1	2		1	6	4.9%
Early Years		1	5	1								2	9	7.3%
Education	3	3	2	2		2	1	4	3	2	2	5	29	23.6%
Gateshead Childrens Services	1	4	2	2		1	4	2	4	3		4	27	22.0%
IFA					1		2				1		4	3.3%
LADO	1		2					1			2		6	4.9%
Ofsted								1		1	1		3	2.4%
Other LA	1	5		6				1		1			14	11.4%
Parent			1	2						2			5	4.1%
Police		2		2	2	1	1	3		3	1		15	12.2%
Sport	1								1			1	3	2.4%
Transport	1	1											2	1.6%
TOTAL	8	16	13	15	3	5	8	12	9	14	7	13	123	100.0%

The highest number of contacts have been from the main statutory agencies as expected. During this reporting period there have been no concerns raised that any of the statutory agencies or the voluntary sector in Gateshead have not responded appropriately to complaints or allegations towards staff. Again, this gives confidence that policies, procedures, expectations and guidance have been appropriately undertaken and understood.

Contacts have included queries from social workers working in looked after children teams and fostering teams.

There have been no concerns raised during this reporting period that Children's Services in Gateshead or out of Gateshead have contacted the LADO inappropriately if an individual is working/volunteering in the Gateshead area.

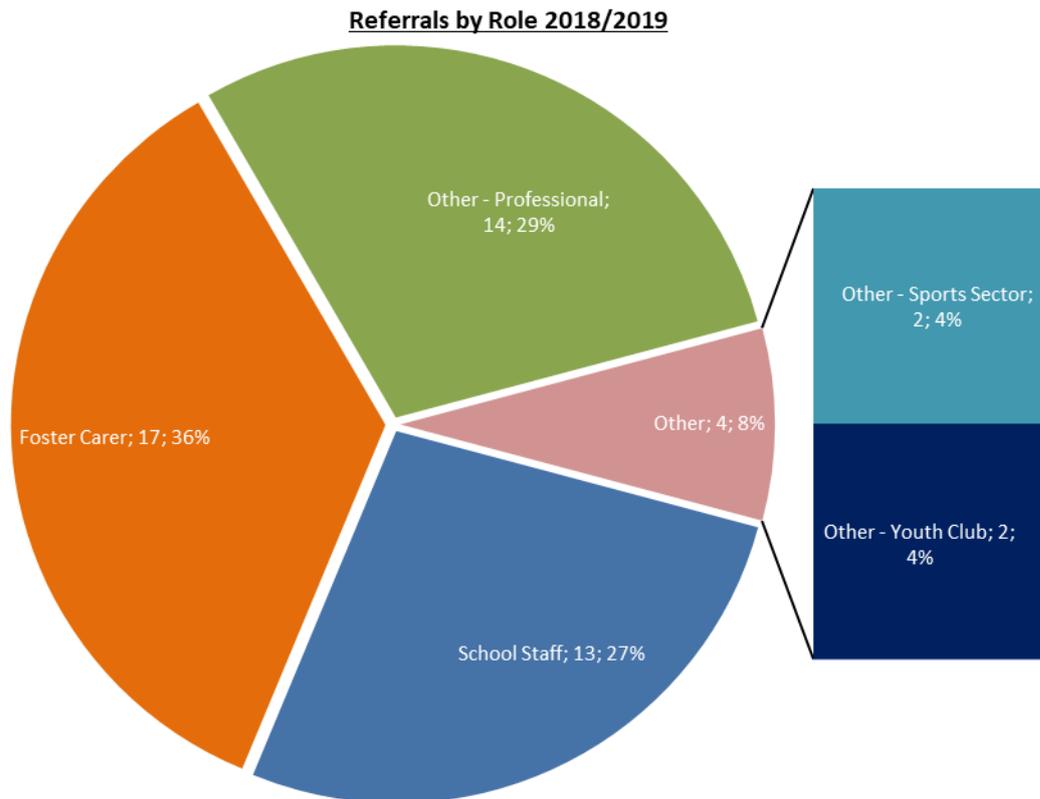
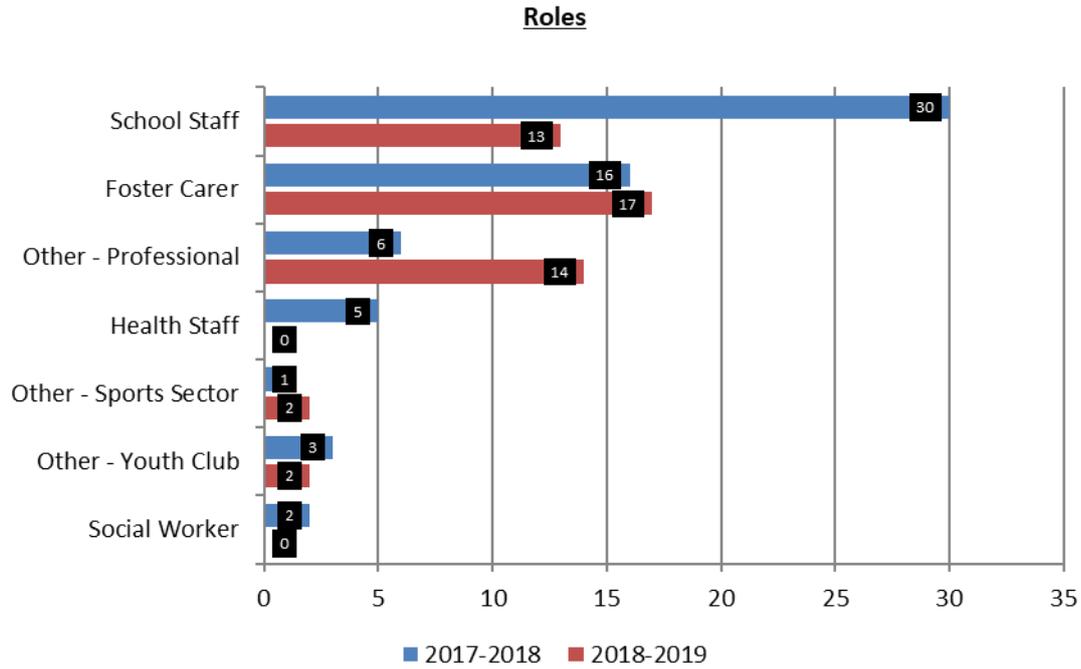
Contacts by the police remain constant from units investigating allegations of sexual offences against children, demonstrating officers are familiar with the LADO process. A number of the contacts made have been in response to allegations of non-recent abuse by a professional or volunteer and checks have been requested to consider if the individual may still be employed or volunteering.

There have been 5 direct contacts by parents during this review period all of which have been resolved through school processes. The parents advised they had been made aware of the LADO function via the school or by contacting Children's Services, demonstrating knowledge and understanding of the process.

Referrals

In the same period, there were 48 referrals which were considered as requiring more detailed multi-agency consultation. This is a decrease of 18 compared to 66 referrals in 2017/2018

A visual breakdown of the referrals by role is shown below.



The majority of Gateshead referrals made involved foster carers (17/48 - 35.4%). Professionals in other sectors (taxi drivers, child minders, support workers) accounted for 29.2% of referrals (14/48) and professionals in schools colleges accounted for most of the remainder (13/48 – 27.1%).

Schools and College referrals over 7 years

- 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%)
- 13 out of 48 in 2018/2019 (27.1%)

Referrals against teachers/education staff have varied over time. The 2018/2019 figure is a record low of cases requiring a strategy process however, overall the number of enquiries generally from education, 29/123 (24%) to discuss issues requiring guidance and advice and referrals 13/48 (27.1%) consistently shows that the main contact to the LADO service is from the Education Sector. The referrals are predominately in the secondary school age group and are issues regarding staff classroom behaviour, management judgements or professional conduct which is dealt with by the internal management process.

There are six special schools in Gateshead, each one specialising in various learning need areas. The total number of referrals from this sector has been 6 teaching staff, 2 of which are pending an outcome with the remainder being resolved with by the internal management process.

There continues to be a strong link between School senior leadership teams in Gateshead and Gateshead College whose guidance and training is in line with Working Together To Safeguard Children In Education 2019 and there have been no concerns raised that Education providers have not acted appropriately in how issues of concerns have been responded to.

The greater number of referrals during this reporting period has been in relation to foster carers 17/48 (36%) which has been an increase of 11 referrals in comparison to 2017-2018. Of the total number, 13 are registered Gateshead carers and 4 are registered with independent fostering agencies.

It has been noted that the Gateshead looked after children population has increased during this reporting period which has put a greater strain on the fostering service in providing emergency placements at short notice. Some of the complaints received by the LADO service are attributed to carers with long term placements in which young people have been challenging boundaries with very confrontational behaviour towards the carer. Other referrals have been made by young people who have made an allegation as a means to be moved to an alternative placement or a family member who is in conflict with the Local Authority.

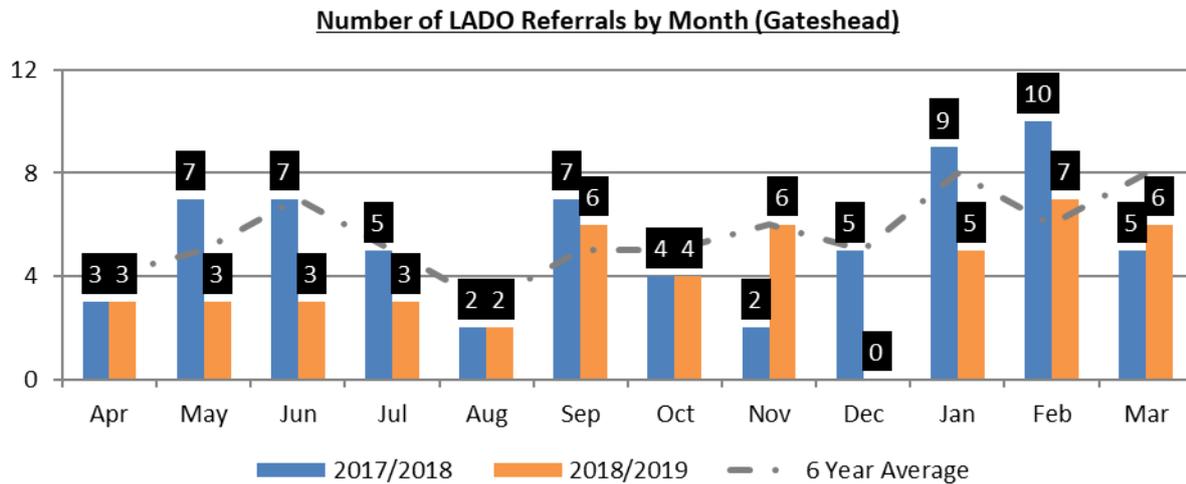
Foster Carers provide care for the most vulnerable of young people and referral numbers tend to be high in comparison to other sectors of professionals working with children. The LADO service has regular consultation with senior managers in the Gateshead Fostering Service and Independent Fostering Agencies with carers in the Gateshead area. The LADO will also attend fostering agency training and induction sessions to have direct contact with carers and managers to raise awareness of the responding to allegation process.

In response to all allegations the voice of the young person is paramount in addition to scrutiny of the carer's daily diary entries, consultation with the young person's Social Worker, Independent Reviewing Officer, other relevant professionals and parents as appropriate. The investigation process is to determine if the carer has acted inappropriately in their professional role with a proportionate response and the young person receives a clear outcome to their allegation and that it has been taken seriously.

Standards of care meetings take place where necessary and this process 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.

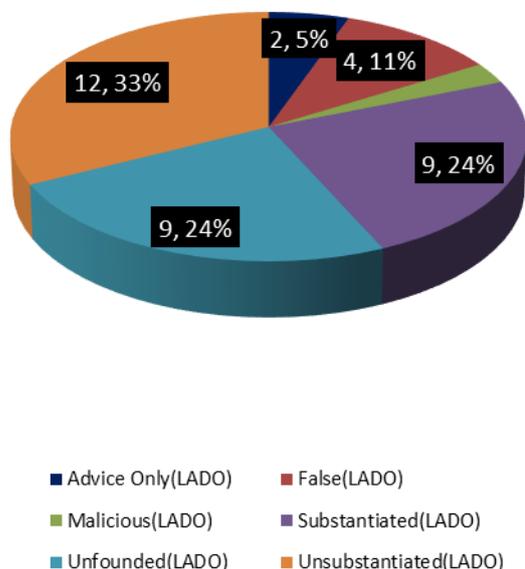
The process will determine the carer's continued suitability to foster and the final outcome is shared with the LADO.

Of the 17 referrals received 6 were substantiated and the carers were subsequently de registered.



4. Concluded Cases

**Allegations by Outcome between
1st April 2018 and 31st March 2019**



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 37 cases concluded during the year, 2 resulted in advice only (5.4%), 9 of those cases were unfounded (24.3%), 9 were substantiated (24.3%), 12 were unsubstantiated (32.4%), 4 were false (10.8%) and 1 was malicious (2.7%).

Categories of Abuse

Allegations against professionals/volunteers working with children are recorded under the 4 categories of abuse

Physical
Emotional
Sexual
Neglect

The “Other” category listed below is used in circumstances in which there is no allegation in respect of a child in their professional role but there are concerns shared about behaviour that may suggest the individual poses a risk to children or young people.

Of the allegations responded to during this period 16 were recorded as physical abuse with the outcomes of 3 false, 6 unsubstantiated, 5 unfounded and 2 substantiated.

10 were recorded as emotional abuse with the outcomes of 3 unfounded, 3 unsubstantiated and 2 substantiated and 1 malicious.

2 was recorded as other with 1 outcome of unfounded and 1 outcome of unsubstantiated.

9 were recorded as sexual with the outcomes of 2 advice only, 5 as substantiated and 2 of unsubstantiated.

The 9 substantiated cases related to 4 teaching staff, 1 foster carer and 3 professionals in other organisations (youth club, health and a music academy). The categories were 5 sexual, 2 emotional and 2 physical.

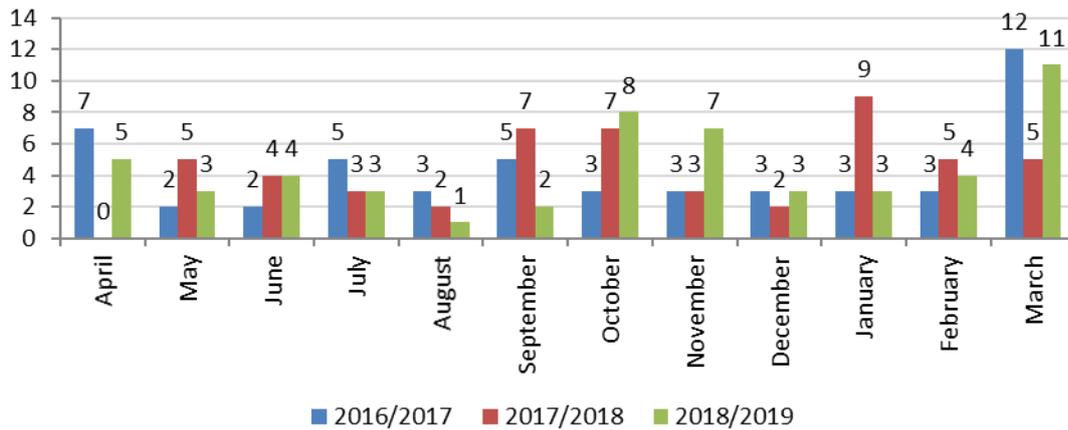
When looking specifically at outcome where the member of staff about whom the allegation had been made worked in the education sector, 4 cases were found to be substantiated (33.3%), 1 was unfounded (8.3%), 4 were unsubstantiated (33.3%), and 3 were false (25%). The education sector consists of early years, primary, secondary, academies and further education.

The below tables show the outcomes of closed cases including the category of alleged abuse.

	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

	2018-2019								
	Emotional Abuse		Physical Abuse		Sexual Abuse		Other		Total
	No	%	No	%	No	%	No	%	
Advice Only(LADO)			0		2	22.2%	0	0.0%	2
False(LADO)	1	10.0%	3	18.8%	0		0	0.0%	4
Malicious (LADO)	1	10.0%	0		0		0	0.0%	1
Substantiated(LADO)	2	20.0%	2	12.5%	5	55.6%	0	0.0%	9
Unfounded(LADO)	3	30.0%	5	31.3%	0		1	50.0%	8
Unsubstantiated(LADO)	3	30.0%	6	37.5%	2	22.2%	1	50.0%	11
Total	10		16		9		2		35

Strategy Meetings



The above graph shows that there were a similar amount of strategy meetings held in 2018-2019 to those held in 2017-2018 (54 meetings in respect of 39 individuals, compared to 52 meetings in respect of 40 individuals).

Of the 37 cases resolved during the period, 10 were completed within 1 month (27%), 8 were completed between 1 and 3 months (21.6%), 10 were completed between 3 months and 6 months (27%), and 7 were completed between 6 months and 12 months (18.9%). 2 cases took more than 12 months to conclude (5.4%).

At 31st March 2019, there were 31 cases ongoing. Of these, 22 have since concluded, and 9 are still ongoing.

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 3-6 month period are due to pending outcomes of police investigations 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.

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 with the required action ranging from management advice/training to dismissal.

Disclosure and Barring Service (DBS)

Referrals are made to the DBS if an individual has been dismissed from employment, resigned from their post or has received a criminal conviction.

During this reporting period 10 referrals were made to the DBS and 3 to the Teaching Regulation Agency

Ofsted Reports June 2019

The Ofsted inspection report of Gateshead Children Services June 2019 observed “Allegations against professionals and related risks to children are robustly managed, although the performance framework requires development to underpin effective tracking and monitoring of allegations and concerns.

In response to the Ofsted observation the performance framework has been developed to further improve the tracking and monitoring systems.

5. LADO Developmental Activity 2018-2019

LADO Duty System

During this reporting period a duty system has been introduced to ensure there is a consistent response to contacts from internal and external agencies. The duty responsibility is on a daily rota basis and undertaken by Independent Reviewing Officers who are experienced practitioners in child protection and looked after children services.

The duty system has provided extra capacity for when the LADO has not been available and has increased the knowledge and experience throughout the team.

To further support and develop the LADO service a second Independent Reviewing Officer now undertakes LADO duties 2 days per week.

LADO Duty System Peer Review

During this reporting period Gateshead and Together for Children, Sunderland, have commenced a reciprocal audit of the LADO service. The purpose is to share policy, practice and performance frameworks in the continual development of the service.

Information sharing of templates for recording referrals, strategy meeting agendas and meetings has taken place. The LADO for Together for Children, Sunderland has observed a LADO strategy meeting held in Gateshead it is anticipated that the LADO for Gateshead will observe practice in Sunderland in order that good practice expectations and standards are shared across the two authorities.

6th National LADO Conference May 2019

The 6th National LADO conference was held in London 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, Police responding to on line abuse and lessons learnt from a serious case review in respect of a foster carer. The information shared by the presentations and workshops 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 LADO Meetings

Regional meetings continue to take place on a quarterly basis to consider local issues and practice. The Chair represents the regional group at the National LADO meetings.

The Regional group met with a representative from the Department of Education as part of a consultation process in updating the Government guidance Working Together to Safeguard Children In Education.

Regional Independent Reviewing Officer Conference

In October 2018 a regional IRO conference was held and included speakers from the Judiciary, Directors of Children Services and young people who were looked after or care leavers.

The conference provided an opportunity for professionals to consider the experiences shared by the young people of being looked after in developing practice and processes.

The conference also provided an opportunity to consider how the shared experiences from young people are reflected in the responding to allegations processes by emphasising to all professionals the voice of the child.

6. Training

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

- | | |
|------------|--|
| 24/04/2018 | LADO service and responding to allegation process presentation to Gateshead Foster Carers. |
| 18/05/2018 | Attendance Gateshead Fostering Support Group |
| 21/06/2018 | LADO service and responding to allegation process presentation to Gateshead Early Years setting staff group. |

10/09/2018	LADO service and responding to allegation process presentation to Gateshead Early Years setting staff group.
13/09/2018	Responding to Allegations against professionals and volunteers Working with children multi agency training.
15/11/2018	LADO service and responding to allegation process presentation to Independent Fostering Agency staff group.
5/02/2019	LADO service and responding to allegation process presentation to Independent Fostering Agency staff group
20/03/2019	Responding to Allegations against professionals and volunteers Working with children multi agency training.
26/03/2019	Effective Child Protection Conference multi agency training.

During this reporting period a number of community police officers have attended a training session Responding to Allegations Against Professionals and Volunteers Working With Children. This was a positive session as those attending acknowledged that not all officers will be aware of the LADO role and also acknowledged the need to consider when responding to an incident if an individual is in a position of trust and responsibility.

7. Additional Responsibilities

The LADO/IRO holds a reduced case load of child protection and Looked after Children cases in order up to remain up to date with child protection processes.

During the reporting period the LADO has responded to 4 Freedom of Information (FOI) requests in relation to professionals and volunteers working with children. The FOI requests have been responded to within the required timescale and the content of the request received demonstrate the importance of the responding to allegation process and the LADO function.

- BBC - malicious allegations against teachers
- BBC - The number of safeguarding alerts which have triggered an investigation under Organised/Complex Abuse procedures concerning semi-independent accommodation/provision and their staff.
- Independent - How many safeguarding concerns were raised about Social workers or persons employed by social services including foster parents who look after or work with, or foster children or young person
- NSPCC - Number of abuses of a position of trust of a sexual nature by adults in relation to 16- and 17-year olds in their care.

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.

9. Summary

The responding to allegations service has continued to develop during this reporting period with the introduction of a duty system and an IRO undertaking LADO duties and case responsibility two days a week. The Ofsted inspection observed that the service is providing a robust response to the referrals received and action is being taken to improve the tracking and monitoring processes which will assist in the collection of accurate data and ensure timeliness in referrals and outcomes.

The overall majority of cases are resolved within the time frames of 1-3 months and 3-6 months with outcomes and appropriate action taken towards the individual subject to the investigation.



Nicholas Leon
Local Authority Designated Officer, Safeguarding Children Unit