

**HARTLEPOOL LSCB**

**MANAGING ALLEGATIONS POLICY**

**Policy review: September 2020**

**Next Review: September 2021**

**Allegations and concerns against staff, carers or volunteers**

Children can be subjected to abuse by those who work with them, in any setting. All allegations of abuse or maltreatment of children by a professional, staff member (including supply), foster carer or volunteer must therefore be taken seriously and treated in accordance with these procedures.

The framework for managing allegations of abuse against people who work with children is set out in ‘Keeping children safe in education’ (September 2020), and ‘Working together to safeguard children’ (updated February 2019).

It is essential that any allegation of abuse made against a person who works with children and young people including those who work in a voluntary capacity are dealt with fairly, quickly and consistently, in a way that provides effective protection for the child and, at the same time, supports the person who is the subject of the allegation.

The aims of the procedures are to:

* Ensure that allegations are dealt with quickly and in a fair manner
* Prevent unsuitable people from working with children and young people
* Promote safe practice and challenge poor / unsafe practice
* Contribute to effective partnership working
* Improve practice through sharing experience and lessons learned

(Procedures flowchart See APPENDIX 1)

**N.B. The area responsible for implementing the procedure is determined by where the individual who is the subject of the allegation or concern works.**

1. **Introduction**

1.1 These procedures should be applied in all settings and work places where employees, supply teachers, volunteers and regular visitors either work with children, are in a position of trust and/or have a duty of care to children. This includes those who:

* Work directly with children;
* Work in a setting where children regard them as a safe and trustworthy adult;
* Have access to sensitive information regarding children;
* Are senior managers who have responsibility for appointing people to work with children.

1.2 The framework for managing cases set out in this procedure applies to a wider range of allegations than those in which there is reasonable cause to suspect a child is suffering, or likely to suffer, significant harm. It should be used in respect of all circumstances where it is alleged that a person 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;
* Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
* Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Schools and colleges as employers have a duty of care to their employees. They should ensure they provide effective support for anyone facing an allegation and provide them with a named contact if they are suspended. Where the school are not the employer of an individual they still have responsibility to ensure allegations are dealt with appropriately and that they liaise with relevant parties (this includes supply teachers and volunteers). It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in a school is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time supports the person who is the subject of the allegation.

In some circumstances schools will have to consider an allegation against an individual not directly employed by them, where its disciplinary procedures do not fully apply, for example, supply teachers provided by an employment agency or business (referred to in this section as ‘the agency’).

Whilst schools are not the employer of supply teachers, they should ensure allegations are dealt with properly. In no circumstances should a school or college decide to cease to use a supply teacher due to safeguarding concerns, without finding out the facts and liaising with the local authority designated officer (LADO) to determine a suitable outcome. Governing bodies and proprietors should discuss with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the school, whilst they carry out their investigation.

Agencies should be fully involved and co-operate in any enquiries from the LADO, police and/or children’s social services. The school will usually take the lead because agencies do not have direct access to children or other school staff, so they will not be able to collect the facts when an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process. Supply teachers, whilst not employed by the school or college, are under the supervision, direction and control of the governing body or proprietor when working in the school or college. They should be advised to contact their trade union representative if they have one, or a colleague for support. The allegations management meeting which is often arranged by the LADO should address issues such as information sharing, to ensure that any previous concerns or allegations known to the agency are taken into account by the school during the investigation.

 When using an agency, schools and colleges should inform the agency of its process for managing allegations. This should include inviting the agency’s human resource manager or equivalent to meetings and keeping them up to date with information about its policies.

# 1.3 This can be in connection with his/her employment or voluntary activity or where:

* There are concerns about a person’s behaviour or conduct in their personal or professional life that might indicate their unsuitability to work with children;
* Concerns arise about a person’s behaviour with regard to his/her own children
* Concerns arise about the behaviour in the private or community life of an individual, their partner, member of their family or other household member

1.4 The procedures also apply where there are concerns relating to inappropriate relationships between those who work with children or young people as outlined in the ‘Sexual Offences Act 2003’ namely:

* Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual (section 16-19 Sexual Offences Act 2003);
* ‘Grooming’, i.e. meeting a child under 16 with intent to commit a relevant offence (section 15 Sexual Offences Act 2003);
* Other ‘grooming’ behaviour giving rise to concerns of a broader child protection nature (e.g. inappropriate text/e-mail messages or images, gifts, socialising etc.);
* Possession of indecent photographs/images of children.
1. **Roles and Responsibilities**

**Safeguarding Partners**

2.1 The Safeguarding Partners (Hartlepool and Stockton-on-Tees Safeguarding Children Partnership (HSSCP)) have responsibility for ensuring there are effective inter agency procedures in place for dealing with allegations against people who work with children and for monitoring and evaluating the effectiveness of the procedures. Each Partner should identify a named Senior Officer with overall responsibility for:

* Ensuring that the organisation deals with allegations in accordance with local procedures;
* Resolving any inter-agency issues;
* Liaising with the Local Authority.

**Local Authority**

2.2 Hartlepool Borough Council (and Stockton-on Tees) should appoint an officer (LADO) who will:

* Be involved in the management and oversight of individual cases;
* Provide advice and guidance on managing allegations to employers and voluntary organisations;
* Liaise with the police and other agencies;
* Monitor the progress of cases to ensure they are dealt with as quickly as possible, using a consistent, thorough and fair process.

**Police**

2.3 Cleveland Police should identify a Senior Officer to:

* Have strategic oversight of the local police arrangements for managing allegations against staff and volunteers;
* Liaise with Hartlepool (and Stockton-on-Tees) local authority;
* Ensure compliance within the organisation.

2.4 Identify local Designated Officers to:

* Liaise with the Local Authority Designated Officer (LADO);
* Take part in LADO meetings
* Review the progress of the cases in which there is a Police investigation;
* Share information as appropriate, on completion of an investigation or related prosecution.

**Employers**

2.5 Employers should:

* Put in place and operate arrangements for dealing with allegations in accordance with these procedures;
* Designate a Senior Manager to whom allegations or concerns should be reported and a Deputy to whom reports should be made in the absence of the Designated Senior Manager or where that person is the subject of the allegation or concern;
* Ensure that their organisation operates procedures for dealing with allegations, resolving any inter agency issues and liaising with the LADO on the subject.

Schools or other education settings should also refer to ‘Allegations of abuse against teachers and non-teaching staff (March 2012)’ available at www.dfe.gov.uk which covers issues relating to allegations of abuse made against teachers and other education staff.

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/361444/DFE-RR192.pdf>

1. **Recognising and Responding to an Allegation**

3.1 There are a number of sources from which a complaint or an allegation might arise including those from:

* A child
* A parent or other adult
* A member of the public
* A colleague (whistle blowing)
* A disciplinary investigation

**Initial Action by Person Receiving or Identifying an Allegation or Concern**

3.2 The person to whom an allegation is first reported should treat the matter seriously and keep an open mind. They should **not:**

* Instigate an investigation;
* Investigate or ask leading questions if seeking clarification;
* Make assumptions or offer alternative explanations;
* Promise confidentiality or give assurance that the information will only be shared on a ‘need to know’ basis.

3.3 They should:

* Make a written record of the information (where possible in the child’s/adults own words), including the time, date and place of incident, persons present and what was said;
* Sign and date the written record;
* Immediately report the matter to the designated senior manager or deputy in their absence or where the senior manager is the subject of the allegation.
* Consider if the child concerned has suffered, or is at risk of suffering significant harm and if this is the case (or if in doubt), make a referral to Children’s Social Care in accordance with Local Authority Child Protection Procedures. If the concerns arise outside normal office hours, then the referral should be made to the Emergency Duty Team.

**Initial Action by the Designated Senior Manager**

3.4 When informed of a concern or allegation, the designated senior manager should not investigate the matter or interview the member of staff, child or any potential witnesses. They should:

* Obtain written details of the concern/allegation, signed and dated by the person receiving the allegation;
* Acknowledge receipt of and date the written details;
* Record any information about times, dates and location of incident and names of any potential witnesses;
* Record discussions about the child and/or member of staff, any decisions made and the reasons for those decisions;
* Report the allegation to the LADO within one working day;
* If a child has suffered or is at risk of suffering significant harm, ensure that a referral to Children’s Social Care has occurred.

3.5 Any organisation that receives information regarding a complaint or allegation (including the police and social care) should report it to the LADO within one working day; reporting should not be delayed in order to gather information. If an allegation is received outside normal working hours and requires immediate attention, the designated senior manager should consult the Local Authority Emergency Duty team or police and inform the LADO as soon as possible.

**Initial Consideration by the Designated Senior Manager and the LADO**

3.6 There are up to three strands in the consideration of an allegation:

* A police investigation of a possible criminal offence;
* Social care enquiries and/or assessment about whether a child is in need of protection or services;
* Consideration of an investigation under disciplinary procedures including suspension if appropriate, and referral to a professional or regulatory body.

3.7 The LADO and designated Senior Manager/Deputy should consider whether further details are needed and whether there is evidence or information that establishes that the allegation is false or unfounded. If the allegation is not demonstrably false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the LADO should refer to Local Authority Children’s Social Care and request a strategy meeting is convened.

3.8 The police must be consulted about any case in which a criminal offence may have been committed. In circumstances where the criteria for a child protection referral is not met, but a police investigation might be needed, the LADO should immediately inform the police and convene an initial LADO Meeting.

3.9 Where there are concerns regarding the conduct or behaviour of an individual which raises concerns about their suitability to work with children, but the threshold criteria for a child protection referral is not met, an initial LADO Meeting should be convened. In some circumstances i.e. when the action needed to be taken is evident, a discussion between the relevant parties may be appropriate instead of convening a meeting.

**Informing the Parent(s) and/or Child**

3.10 The employer has a responsibility to inform the LADO immediately an allegation is made. If the parent(s) of the child is not already aware of the allegation, the LADO, in consultation with colleagues in the police and social care, will advise the employer about when and how to do this. In some circumstances, the parent(s) will need to be told straight away; for example, if the child has been injured or requires medical treatment. The parent(s), and the child, if sufficiently mature, should be helped to understand the processes involved.

**Informing the employer**

3.11 Where the LADO receives a complaint or an allegation from sources other than the Employer, the LADO should consider what information, if any, should be disclosed to the Employer applying the Information Sharing: Advice for Practitioners providing safeguarding services to children, young people, parents and carers (HM Government Updated July 2018).

3.12 In all cases, the information shared and reasons for doing so should be recorded on the Allegations Management Referral Form, which will be completed by the LADO for each referral received and a copy will be sent to the employer on conclusion of the case. The LADO should have regard to existing information sharing protocols.

**Informing the Referred Person**

3.13 The employer should seek advice from the LADO and the police about how much information should be disclosed to the referred person. Subject to the restrictions on the information that can be shared, the employer should, as soon as possible, inform the accused person about the nature of the allegation, how enquiries will be conducted and the possible outcome. The referred member of staff should:

* Be treated fairly and honestly and helped to understand the concerns expressed and processes involved
* Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary process
* If suspended be kept up to date about events in the workplace

**Informing Ofsted**

3.14 Ofsted should be informed by the LADO of any allegation or concern made against a member of staff in any day care establishment for children under 8 or against a registered childminder. Ofsted should be invited to attend any safeguarding strategy meeting or LADO meeting and kept informed of the progress of the case and the outcome.

3.15 Local Authority Children’s Social Care should inform Ofsted of all allegations made against a foster carer, prospective adopter, or member of staff in a residential child care facility.

**Strategy Meeting/Discussion and LADO Meeting**

3.16 If there is cause to suspect a child is suffering, or likely to suffer, significant harm, a child protection strategy meeting/discussion will be held. This meeting will be held in two parts: the first part of the meeting will be a strategy meeting and will focus on the welfare and safety of the child/children and will be chaired by an experienced manager. The strategy meeting should:

* Decide whether there should be a Section 47 enquiry;
* Consider the current allegation in the context of any previous allegations or concerns;
* Where appropriate, take account of any entitlement by staff to use reasonable force to take control or restrain children;
* Consider whether a complex abuse investigation is applicable;
* Ensure that arrangements are made to protect the children involved and any other children affected, including taking emergency action where needed;
* Consider what support should be provided to children who may be affected;
* Agree dates for future strategy meetings.

3.17 The second part of the meeting, an initial LADO Meeting, should be chaired by the LADO and should focus on the individual against whom the allegation has been made. The following is a list of possible participants:

* Relevant social worker and their manager
* Police Child Abuse Investigation/Vulnerability Unit
* Designated senior manager-leader/deputy for the employer concerned
* HR representative from the employing organisation
* Senior representative from employment agency or voluntary organisation, if applicable
* Manager from fostering service provider when an allegation has been made against a foster carer
* Those responsible for regulation and inspection where applicable e.g. Ofsted

3.18 The LADO meeting should:

* Consider the allegation and whether any investigation under disciplinary procedures is required;
* Discuss any previous allegations or concerns;
* Decide whether there should be a police investigation;
* Plan enquiries if needed, allocate tasks and set timescales;
* Decide what information can be shared, with whom and when;
* Consider what support should be made available to the member of staff, the child and his/her family and any others who may be affected;
* Ensure that investigations are sufficiently independent;
* Make recommendations where appropriate regarding suspension or alternatives to suspension;
* Identify a lead contact manager within each agency;
* Agree procedures for reviewing investigations and monitoring progress by the LADO having regard to target timescales;
* Consider any issues for the attention of senior management (e.g. media interest or resource implications);
* Consider whether a referral to the DBS/other regulatory body should be made and by whom;
* Consider risk assessments to inform the employer’s safeguarding arrangements;
* Consider the individual’s own children/those within their family/any other children they have contact with, and whether a referral needs to be made to Children’s Social Care regarding any child/children within this group
* Agree dates for future LADO meetings.

**If a Strategy Meeting is not required, the LADO will convene and chair an initial LADO Meeting, considering the above points.**

3.19 If necessary, a second or subsequent LADO review meeting should be held to ensure that all tasks have been completed and where appropriate, agree an action plan for future practice based on lessons learned.

**Allegations against staff in their personal lives**

3.20 If an allegation or concern arises about a member of staff outside of their work with children, and this may present a risk of harm to children for whom the member of staff is responsible or comes in to regular contact with, the general principles outlined in these procedures will still apply.

The LADO meeting should decide whether the concern justifies:

* Approaching the member of staff’s employer for further information, in order to assess the level of harm
* Inviting the employer to a strategy or LADO meeting

If the member of staff lives in a different authority area to that which covers their workplace, liaison should take place between the relevant agencies/LADOs in both areas.

3.21 In some cases, an allegation of abuse against someone closely associated with a member of staff may present a risk of harm to children for whom the member of staff is responsible or comes in to regular contact with. In these circumstances the LADO meeting should consider:

* The ability and/or willingness of the member of staff to adequately protect the children;
* Whether measures need to be put in place to ensure their protection;
* Whether the role of the staff member is compromised.

**Organised and Historical Abuse**

3.22 Investigators should be alert to signs of organised or widespread abuse and the involvement of other perpetrators or institutions. They should consider whether the matter should be dealt with in accordance with complex abuse procedures, which, if applicable, will take priority. Historical allegations should be responded to in the same way as contemporary concerns. It will be important to ascertain if the person is currently working with children and, if so, to consider whether the current employer should be informed.

**WHISTLE-BLOWING / CONFIDENTIAL REPORTING POLICY**

3.23 All staff should be made aware of their organisation’s whistle-blowing / confidential reporting policy and feel confident to voice concerns about the actions or attitude of colleagues. If a member of staff believes that a reported allegation or concern is not being dealt with appropriately by their organisation, they should report the matter to the LADO.

**CROSS BOUNDARY CONSIDERATIONS**

3.24 Allegations or concerns might be raised about individuals who work within more than one authority. When this occurs, the LADO receiving the information should contact the LADO in the area(s) where the individual is also known to work or have contact with children.

3.25 If concerns arise in an individual’s private life that have a bearing on their work with children in another authority, the LADO should contact the LADO for that area and offer to attend a LADO meeting to share information and agree any action necessary.

3.26 The LADO / Adult Safeguarding Protocol should be used when there is a need to share information between authorities that is relevant to an individual who may also work with vulnerable adults.

**Actions and Outcomes**

**Confidentiality**

4.1 Every effort should be made to maintain confidentiality and guard against publicity whilst an allegation is being investigated or considered. Information should be restricted to those who have a need to know in order to protect children, maintain confidentiality for the member of staff, facilitate enquiries and manage disciplinary processes.

4.2 The police should not provide identifying information to the press or media unless or until a person is charged, other than in exceptional circumstances. In such cases, the reasons should be documented and partner agencies consulted beforehand.

**Support**

4.3 The employing organisation, together with children’s social care and/or the police where involved, should consider the impact upon the child and provide appropriate support. Liaison between agencies should consider how the child’s needs are addressed.

4.4 As soon as practicable after an allegation has been received, the referred member of staff should be advised to contact their union or professional association. The employing organisation should alert their HR advisors in order that support can be offered via the organisation’s occupational health or wellbeing arrangements and so that procedures can be adhered to.

**Unsubstantiated and False Allegations**

4.5 Following the initial LADO meeting or discussion, if an allegation is determined to be unsubstantiated, false or unfounded, the LADO should complete the Allegations Management Form, including sufficient details of the findings, and forward it to the designated Senior Manager/Deputy of the employer to enable them to consider what further action, if any, should be taken.

4.6 False allegations are rare, but may be an indicator of abuse elsewhere that requires further exploration. If an allegation is demonstrably false, the employer, in consultation with the LADO, should consider referring the child to Children’s Social Care to determine whether the child is in need of services or might have been abused by someone else.

4.7 If it is established that an allegation has been deliberately invented, the Police should be asked to consider whether it might be appropriate to take action against the person responsible.

4.8 At the conclusion of a case in which the allegation is unsubstantiated, the employer should review the circumstances of the case to determine whether there are any improvements to be made to the organisation’s procedures or practice to help prevent similar events occurring in the future.

**Disciplinary Process and Investigation**

4.9 In all cases, the LADO, the Designated Senior Manager and the employer’s Human Resources representative should discuss whether an investigation under disciplinary procedures is necessary. The discussion should consider any potential misconduct or gross misconduct on the part of the member of staff and take into account:

* Information provided by the Police and/or Children’s Social Care;
* The result of any investigation;
* The different standard of proof in disciplinary and criminal proceedings.

The decision to instigate disciplinary proceedings lies with the employer, who will adhere to HR policy and procedures.

4.10 In the case of supply, contract or volunteer workers, normal disciplinary procedures may not apply. In these circumstances, the LADO and employer should act jointly with the providing agency, if any, in deciding whether to continue to use the person’s services, provide future work with children, or whether to make a report for consideration for barring or other action.

**References to timescales in paragraphs 4.11 – 4.15 are included for guidance only. All employers should do their utmost to ensure a timely resolution to any investigation / disciplinary proceedings and be compliant with employment law.**

4.11 If formal disciplinary action is not required, the employer should institute any agreed actions arising from the LADO meeting **within three working days.** If a disciplinary hearing is required and can be held without further investigation, the hearing should be held **within fifteen working days.** The timescalesdetailed will be adhered to wherever possible.

4.12 If further investigation is needed to decide upon disciplinary action, the employer and the LADO should discuss whether the employer has appropriate resources or whether the employer should commission an independent investigation because of the nature or complexity of the case to ensure objectivity. The investigation should not be conducted by a relative or friend of the member of staff.

4.13 The aim of an investigation is to obtain, as far as possible, a fair, balanced and accurate record in order to consider the appropriateness of disciplinary action and/or the individual’s suitability to work with children. Its purpose is not to prove or disprove the allegation. The investigating officer should aim to provide a report **within ten working days.**

4.14 On receipt of the report, the employer should decide, **within two working days,** whether a disciplinary hearing is needed. If a hearing is required, it should be held **within fifteen working days.**

4.15 If at any stage of the investigation new information emerges that requires a child protection referral, the investigation should be held in abeyance and only resumed, if agreed, with children’s social care and the police. Consideration should again be given as to whether suspension is appropriate in the light of the new information.

**Suspension**

4.16 The possible risk of harm to children posed by an accused person needs to be evaluated and managed effectively in respect of the children involved and any other children who may be at risk in the accused member of staff’s home, work or community. In some cases, this requires the employer to consider suspending the member of staff. Suspension is a neutral act and is not automatic. The power to suspend is invested in the employer alone, in consultation with its HR department. It should be considered where:

* There is cause to suspect a child/children is at risk of significant harm;
* The allegation warrants investigation by the police;
* The allegation is so serious that it might be grounds for dismissal;
* There is cause to suspect that the individual has the potential to intimidate a person(s) who may know or believe to be involved;
* There is cause to suspect that the individual may have the potential to destroy or contaminate evidence related to the investigation;
* Other circumstances particular to the case that warrant suspension.

4.17 If a strategy meeting is to be held, or if children’s social care and/or the police are to make enquiries, the LADO should canvas their views on suspension and inform the employer. Only the employer has the power to suspend an accused employee and they cannot be required to do so by a local authority or police.

4.18 If a suspended person is to return to work, the employer should consider what help or support might be appropriate (e.g. a phased return to work, the provision of a mentor), and also how best to manage the member of staff’s contact with the child concerned.

**Resignations and ‘Compromise Agreements’**

4.19 Every effort should be made to reach a conclusion in all cases even if:

* The individual refuses to co-operate, having been given a full opportunity to answer the allegation;
* It may not be possible to apply any disciplinary sanctions if a person’s period of notice expires before the process is complete.

4.20 The fact that a person tenders his or her resignation or ceases to provide their services must not prevent an allegation from being followed up in accordance with these procedures. A so-called ‘compromise agreement’ by which a person agrees to resign, the employer agrees not to pursue disciplinary action and both parties agree a form of words to be used in any future reference must not be used. In any event, such an agreement will not prevent a thorough police investigation where appropriate, nor can it override an employer’s statutory duty to make a referral to Disclosure and Barring Service.

4.21 The LADO should also advise whether it is appropriate to notify a professional body or regulator. Any referral, if appropriate, should be made within one month.

**Record Keeping**

4.22 Employers should keep a clear and comprehensive summary of the case on a person’s confidential personal file and give a copy to the individual. The record should include details of:

* Allegations made;
* Details of how the allegation was followed up and resolved;
* Actions taken;
* Decisions reached.

4.23 Such information should be retained on file in accordance with each agency’s retention and Human Resources policies; this includes for people who leave the organisation.

4.24 The purpose of the record is to enable accurate information to be given in response to any future request for a reference. It will provide clarification in cases where a future DBS disclosure reveals information from the police that an allegation was made but did not result in a prosecution or conviction. It will also prevent unnecessary re-investigation if, as sometimes happens, allegations resurface after a period of time.

4.25 A central record of allegations will also be maintained by the LADO on behalf of partner organisations of the HSSCP.

4.26 The LADO’s records will assist the HSSCP to monitor and evaluate the effectiveness of managing allegations and provide statistical information to central government, and for Freedom of Information requests, if required.

**Monitoring Progress**

4.27 The LADO should monitor and record the progress of each case, fortnightly or monthly, depending on its complexity. This could be by way of review LADO Meetings or direct communication with the police, children’s social care or employer. Where target timescales cannot be met, the LADO should record the reasons.

4.28 If a police investigation is to be conducted, police will consider each matter on a case by case basis and determine whether or not a disclosure will be made. In the event there is, they should obtain consent from the individuals concerned to share the statements and evidence they obtain with the employer and/or regulatory body, for disciplinary purposes. This should be done as the investigation proceeds rather than after it concludes, to enable the police and CPS to share relevant information without delay at the conclusion of their investigation of any court case. The police should set a date for reviewing its progress and consulting with the CPS. Wherever possible this should be no later than 4 weeks after the LADO meeting. Dates for any further reviews should be agreed, being either fortnightly or monthly.

**5 Actions on Conclusions of a Case**

5.1 If the allegation is substantiated and the person is dismissed, or the employer ceases to use the person’s services, or the person resigns, the LADO should discuss with the employer whether a referral should be made to the Disclosure and Barring Service and / or to a regulatory body such as the HCPC, GMC, NMC or relevant Teaching Agency. Consideration will then be given as to whether the individual should be barred from, or have conditions imposed in respect of, working with children. If a referral is to be made, a named person should be identified to make that referral.

5.2 There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child.

5.3 The employer and the LADO should review the circumstances of each case to determine whether there are any improvements to be made to the organisation’s procedures or practise.

**It is in everyone’s best interest to resolve cases as quickly as possible, consistent with a fair and thorough investigation. Every effort should be made to avoid any unnecessary delay. It is expected that most cases are resolved within one month, although cases which require a criminal prosecution or a complex police investigation are likely to take longer than three months.**

**Useful Guidance Pathway Tools, Contacts and Websites:**

**LADO Leaflet (APPENDIX 2)**

<https://www.stockton.gov.uk/media/875802/lado-leaflet.pdf>

**Allegations Management Referral Form:**

**Local Authority Designated Officer (LADO) and Senior Officers**

**LADO Contacts**

**Hartlepool and Stockton LADO – Philip Curtis
email:** **philip.curtis@stockton.gov.uk** **secure email:** **HSCB@hartlepool.gcsx.gov.uk**  **telephone number: 01429 284116**

**Monitoring and Reviewing**

The policy will be reviewed annually by the SLT Designated Safeguarding Leader in consultation with the Headteacher, the Governors and the Chair of Governors.

It will be updated, modified or amended as necessary.

**Signed:……………………………………………………….. Date:…………………**

**(Designated Safeguarding Lead)**

**Signed:……………………………………………………….. Date:…………………..**

**(Headteacher)**

**Signed:……………………………………………………….. Date:…………………..**

**(Chair of Governors)**

APPENDIX 1

Flowchart

Information received that a worker has harmed, or may have harmed a child, possibly committed an offence, or may be unsuitable to work with children.

Member of staff receiving information/making allegations must refer to their **Senior Manager**

**Senior Manager** should:

* Record allegation/information (dates/times/witnesses)
* Report allegation/information to Local Authority Designated Officer **(LADO)** within 1 working day
* Ensure a referral to Social Care is made, if appropriate

**Local Authority Designated Officer** holds Analysis Meeting/Discussion with

Senior Manager, Police, Employer and other relevant agencies:

* Share information
* Determine action
* Consider suspension
* Review arrangements

Allegation does not meet criteria or is false/malicious

Allegation raises concerns about individual’s suitability to work with children

No significant harm but allegation may constitute a criminal offence

Child suffering/at risk of suffering significant harm.

No further action, but consider referral to police if allegation is deliberately false/malicious

Social care/Police Investigation

No social care/police investigation

LADO refers to Police

Strategy meeting/ discussion

Employer to consider internal enquiry

* Referral to internal agency procedures.
* Professional advice
* Disciplinary procedures
* Refer to ISA/Professional Body within one month.
* NFA
* No further action.

LADO discussion with employer/ police/relevant agencies re. future action.

LADO Strategy meeting/ discussion chaired by LADO.

APPENDIX 2

LADO Leaflet

* An electronic version (PDF) can be downloaded by clicking below

[LADO Leaflet 2016](http://www.teescpp.org.uk/Websites/safeguarding130315/images/LADO%20Leaflet%20Dec%202016%20%28002%29.pdf)

* A hard copy is available in school