



LADO Guidance Notes

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Introduction

What is the LADO?

The Local Authority Designated Officer (LADO) works within Children's Services and provides advice and guidance to employers, organisations and other individuals who have concerns about the behaviours of an adult who works with children and young people. Included in this group are volunteers, agency staff and foster carers as well as people who are in a position of authority and have regular contact with children, such as religious leaders or school governors.

The LADO should be alerted to all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against children, or related to a child
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children

What should be referred to the LADO?

Any concern that meets the criteria above should be referred. Initially, it may be unclear how serious the allegation is. If there is any doubt, you should contact the LADO or lead person for safeguarding in your agency for advice. For information about what to do when concerns come to your attention please see LADO Guidance Note: '**Responding to an allegation or concern**'

What does the LADO do?

Following referral, the first step will be to offer an initial discussion of the concern. This may consist of advice and guidance regarding the most appropriate way of managing the allegation. The LADO will help establish what the 'next steps' should be in terms of investigating the matter further.

The LADO will arrange a strategy meeting if one is required, liaising with the police and other agencies as necessary. If the case is complex there may be a series of meetings.

The LADO will monitor and maintain an overview of cases to ensure they are dealt with as quickly as possible, consistent with a thorough and fair process.

The LADO will:

- Ensure that child protection procedures are initiated where the child is considered to be at risk of significant harm
- Provide advice about the detail that can be shared immediately with the individual against whom the allegation has been made
- Ensure that the appropriate agencies are involved in the investigation
- Advise on whether the person should be suspended while investigations are current
- Consider issues of sharing information with parents and other relevant individuals are considered
- Ensure employers are aware of their duty to notify the appropriate regulatory body or to refer the individual to the Disclosure and Barring Service (DBS)

How to contact the LADO

In Southwark, the LADO is based within the Quality Assurance Unit. If you need to contact Southwark's LADO, please:

Telephone: **0207 525 3297** or email: [**safeguardingchecks@southwark.gov.uk**](mailto:safeguardingchecks@southwark.gov.uk)

You will be sent a referral form to complete.

Further information

Links:

[**Working Together to Safeguard Children \(2013\)**](#)

London Safeguarding Children Board: [**Managing allegations against staff or volunteers, who work with children**](#)(5th edition)

[**Southwark Children's Handbook**](#)

[**LADO GUIDANCE NOTES \(links to be created\)**](#)

[**Disclosure and Barring Service \(DBS\)**](#)

[**Ofsted**](#)

Guidance Note 1

Responding to an allegation or concern

An allegation against a person working with children can be made by people in a range of different circumstances. Some allegations are made by children; some allegations are made by colleagues or other professionals; others are made by parents or members of the community. Everyone who receives information about an allegation should take it seriously and keep an open mind as to whether it might be true.

The majority of allegations against professionals or volunteers relate to their behaviours towards a child or children in the workplace. However, a sizable minority of concerns reported to the LADO relate to the professional's or volunteer's personal life or to their care of their own children. Finally, in some cases, there may have been an allegation of abuse against someone closely associated with a member of staff and there are concerns may present a risk of harm to children for whom the member of staff is responsible.

In all cases, the general principles outlined in [the London Safeguarding Children Board procedures](#) apply.

The person receiving the report	
Should:	Should not:
Make sure children are safeguarded	Ask leading questions if seeking clarification
Write down what has been said and record the circumstances in which the allegation was made	Make assumptions or offer alternative explanations
Report the matter to the lead person in agency or organisation	Promise confidentiality but assurance should be given that the information will only be shared on a 'need to know' basis

The lead person for safeguarding	
Should:	Should not:
Confirm children are safeguarded	Investigate the allegation
Obtain the written account which has been prepared by the person to whom the allegation was made	Interview the child
Record details of potential witnesses	Interview the subject
Record the details of any discussions and the rationale for any decisions that have been made about the child/ member of staff	Interview potential witnesses
Refer to LADO within 1 working day of allegation being made	
The LADO and the lead person for safeguarding will:	
Confirm that children have been safeguarded	
Consider whether further information is needed	
Discuss details of the allegation into account thresholds for LADO involvement	
Determine whether there is sufficient evidence or information that establishes that the allegation is unfounded or false	
Determine whether multi-agency investigation of allegation and/or risk of harm to child is indicated	
Consider whether suspension of the individual is indicated, if the agency/ organisation has not yet made this decision.	

There are three potential outcomes from the initial referral to the LADO, in terms of the investigation of allegations or concerns. These are:

1. The allegation is demonstrably false/unfounded and no further action is required;
2. The matter can be dealt with by the individual's employer/managers; or,
3. A LADO strategy meeting needs to be arranged involving other relevant professionals (including the police if it appears that an offence has been committed).

Important notes:

1. Subject to restrictions on the information that can be shared, the accused person's employer should, as soon as possible, inform the individual about the nature of the allegation, how enquiries will be conducted and the possible outcomes. The individual should be given a copy of the LADO guidance: **'When you are the subject of an allegation'**.
2. Where concerns have arisen due to events in the member of staff or volunteer's private life, the individual should be given a copy of the LADO guidance: **'When there are concerns about your personal life'**
3. All referrals made to the LADO are recorded on the local authority's electronic record. When the employer informs the subject that an allegation has been made, the subject must be made aware of this fact.

Guidance Note 2

Attending a LADO strategy meeting

The purpose of LADO strategy meetings is to share information relevant to the allegation that has been made and to plan any investigations that are necessary. Professionals who participate in LADO strategy meetings will also be asked to draw conclusions about whether the allegation is substantiated or not.

Professionals involved in this process should maintain confidentiality. Information-sharing should be restricted to those who have a need to know, in order to protect children, to facilitate enquiries, to manage related disciplinary processes, or to determine whether an individual is suitable to work with children.

The complexity of the allegation will determine whether there should be only one LADO strategy meeting or whether a second or further meeting is required.

The strategy meeting/s will discuss the allegation and consider the implications of the following questions:

- Have arrangements been put in place to keep the child or children affected safe from harm?
- Does it appear that a crime has been committed against a child?
- Has the local authority undertaken S47 enquiries?
- Have there been any previous concerns or allegations about the individual concerned?
- Has the member of staff or volunteer been suspended from their duties?
- What information can be shared, with whom and when?
- What support is being provided for the child?
- What support is being provided for the individual facing the allegation of abuse?
- Are there issues which need to be brought to the attention of senior managers, including potential for press interest?
- Does the case suggest that there are wider lessons for agencies and organisations?

Where the allegation arises from concerns in the person's private life, the strategy meeting will consider whether the level of concern justifies:

- Approaching the member of staff's employer for further information, in order to assess the level of risk of harm; and/or
- Inviting the employer to a further strategy meeting/discussion about dealing with the possible risk of harm.

Where the allegation of abuse has been made against someone closely associated with a member of staff, the strategy meeting should consider:

- The capacity of the member of staff to adequately protect the child or children concerned;
- Whether additional measures need to be put in place; and,
- Whether the role of the member of staff is compromised.

Outcomes

The initial strategy meeting will:

- Plan any investigations that may be required, taking account of whether criminal proceedings are indicated
- Agree what information can be shared with whom and when
- Consider whether there is a need for concurrent disciplinary action
- Consider the support needs of the child, the subject, and the child's parents or family

The final strategy meeting will:

- Determine whether, on the balance of probability, the allegation is substantiated
- Consider the implications of the finding for the employer in terms of internal investigation and disciplinary procedures
- Consider the implications of the finding for the child and parents
- Make recommendations in relation to support, monitoring or training for individual's remaining in or returning to the workplace
- Ensure that employers are aware of the implications of their 'duty to refer' to the DBS and to relevant regulatory bodies.

Checklist for professionals attending a LADO strategy meeting

A professional invited to provide information, in respect of the subject of the allegation or the alleged victim, will form part of the strategy group. It is important that all participants are able to contribute fully. This checklist is designed to help professionals prepare for a LADO strategy meeting.

Ask yourself	
Am I able to represent my agency/organisation in this matter? If not, who should attend with you/in your place?	
Have I familiarised myself with the relevant information held by my agency/organisation?	
Do I feel there may be a conflict of interest in attending this meeting? If so, who should you inform and who should attend in your place?	
Have I taken all the action that I need to prior to the meeting?	
Please bring the following, if available to you	
Confirmed name, address and date/s of birth of alleged victim/s	
Confirmed name, address and date/s of birth of alleged subject/s	
Chronology of events	
Record/notes of any interviews undertaken	
Record/notes of any assessments undertaken	

Guidance Note 3

What happens if an allegation is made against you?

The majority of people who work with children act professionally and aim to provide a safe and supportive environment for them. However, sometimes the behaviour of an adult can fall short of these expectations. It is never acceptable for an adult in a position of trust to harm a child and so, allegations or concerns about behaviour of employees, foster carers or volunteers in relation to children are taken seriously. However, it is acknowledged that when you are the person who has been accused, this can have be a very difficult situation to manage.

Investigating allegations and LADO strategy meetings

If an allegation has been made about you or concerns have been expressed about your behaviour towards a child or children, your employer has a duty to report this to the Local Authority Designated Officer (LADO) in the area where your employer is based. In Southwark, the LADO is based in the Quality Assurance Unit in Children's Social Care. This guidance note explains the process of investigating allegations where there reason to suspect that a person has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against children, or related to a child
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children

In such cases, a LADO strategy meeting will be held as soon as possible after the details of the allegation have been confirmed. The strategy meeting will discuss:

- details of the allegation or concern
- you and your role with children, and whether there have been any previous allegations made against you
- the child/young person making the allegation.

The meeting will be chaired by the LADO. It is the LADO's responsibility to manage the allegations process. You will not be involved in the meeting and neither will the child/ren or family. The meeting will be attended by:

- A representative of your employer or agency and, in some cases, a member of Human Resources

- A representative from the police if it appears a criminal offence may have been committed
- Representatives of health, legal, children's social care, and Ofsted depending on the situation or the type of organisation you work for.

The members of the meeting will decide:

- What is required to safeguard the child/ren involved and any other children with whom you may have contact
- Whether a police and/or social care investigation is required or whether disciplinary procedures should be followed.
- What information can be shared with you and by whom
- What support should be provided to you and others who may be affected and by whom?

In some cases, further LADO strategy meetings will be required to monitor the progress of investigations and finally to make a determination about the allegation/s made.

Will you be suspended?

Suspension is a neutral act, not a sanction, and it should not be automatic. It should, however, be considered in cases where:

- There is reason to believe a child has suffered or will suffer significant harm
- The allegation warrants investigation by the police
- The allegation is so serious that it might be grounds for dismissal.

You might also be suspended if it is thought that your presence in the workplace could impede the conduct of the investigation.

Where the allegation leads to the involvement of children's social care and/or the police, the LADO will canvass their views on suspension and let your employer know. However, only your employer has the power to suspend you and they cannot be required to do so by a local authority or police.

The outcome

Members of the strategy meeting will decide whether the allegation is:

1. **Substantiated:** where there is sufficient identifiable evidence to prove the allegation;
2. **False:** where there is sufficient evidence to disprove the allegation;
3. **Malicious:** where there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false;
4. **Unfounded:** where there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances;
5. **Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation; the term therefore does not imply guilt or innocence.

If you are a teacher, a member of staff, or volunteer in a school or college that provides education for children under 18 years, the outcome of 'unfounded' is not available as an outcome.

Further recommendations may be made in respect of disciplinary measures or support measure, such as training and supervision in the workplace. You should be informed of the outcome by your employer. You should also receive a letter confirming the outcome from the LADO. This may not be appropriate, however, if a police or disciplinary investigation is being undertaken.

Substantiated allegations

If the allegation is substantiated, your employer may have a legal duty to refer the matter to **Disclosure and Barring Service (DBS)**. The DBS has the power to decide whether you should be barred from, or have conditions imposed in respect of working with, children. The relevant legislation is set out in the **Protection of Freedoms Act 2012**. The duty to refer to the DBS remains even if you resign from your post or position as a volunteer.

The length of time to resolve the matter

It is in everyone's interest for cases to be dealt with expeditiously, fairly and thoroughly and for unnecessary delays to be avoided. Target timescales provided in the **flowchart** of the *London Child Protection Procedures* but some cases will take longer because of their specific nature or complexity. However, the LADO will endeavour to ensure that investigations of allegations are resolved as quickly as possible, particularly as you may be suspended. You should be kept informed and up-dated throughout the process.

Confidentiality

Confidentiality will be maintained and information is restricted to those who have a need to know. If you are returning to work following a suspension, your manager/ employer should discuss with you how to make your return as easy as possible. Consideration should also be given to the arrangements that are to be put in place if it is likely that you will come into contact with the child who made the allegation.

What will be written about you?

Your employer has personnel records which will detail how the allegation was investigated, the decisions reached, and the actions that were taken. You should clarify arrangements for retention of this information with your employer, who should also tell you what will be disclosed in future references. DBS checks may reveal the outcome of strategy meetings if the police have been in attendance. The local authority also makes an electronic record of every referral to the LADO.

Further information

The role of the Local Authority Designated Officer (LADO) is set out in the HM Government guidance: '**Working Together to Safeguard Children**' (2013). You might also wish to refer to the London Safeguarding Children Board: '**Managing allegations against staff or volunteers, who work with children**'.

Investigations of all allegations against teachers, members of staff, or volunteers in schools or colleges that provide education for children under 18 years, are dealt with as outlined in the HM Government publication: '**Keeping children safe in education** (2004)

Guidance Note 4

When there are concerns about your personal life

All organisations that provide services to children and young people must ensure that staff are competent, confident and safe to do so. Similarly, anyone who comes into contact with children and young people in their work has a duty of care to safeguard them and to promote their welfare.

The vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment for children and young people. However, sometimes those working with children will have an issue that arises in their personal life which may be relevant to their role at work.

This guidance note explains what happens in these circumstances. It relates to everyone in the children's workforce whether as a paid employee, foster carer or volunteer.

What issues in your personal life might be relevant at work?

Examples of issues that are relevant at work are:

- Your child has been the subject of child protection enquiries by children's social care (often referred to as S47 enquiries or investigations)
- Your child has a child protection plan
- You have been the subject of a criminal investigation in relation to offences against children
- You have been arrested, cautioned or convicted in relation to offences of violence
- You have difficulties with drug or alcohol misuse or other issues which might impact on your ability to do your job safely
- There have been allegations of abuse against a member of your household or a person closely associated with you

Examples of issues that are usually not relevant to your work with children include:

- Your child is receiving services from children's social care as a 'child in need'
- You are receiving services, such as counselling, to support you emotionally.

Who will be told about the concerns in my personal life?

If the concerns about you or your family are relevant to your work with children, children's social care, the police or other agencies have a duty to tell the Local Authority Designated Officer (LADO) in the area in which you work. The LADO is responsible for the allegations against people who work with children and will offer advice about what should happen next. Every local authority in England has a LADO.

What is likely to happen next?

An evaluation will need to be made of the relevant information to determine the potential implications for your role at work. Statutory agencies have a duty to share information where they believe children may be at risk and it will need to be decided if this information should be shared with your employer.

If the information suggests that there is an immediate risk to children you work with, details will be shared with your employer straight away. You may not be contacted before your employer is told and your employer may decide to suspend you until a final conclusion is reached.

If there does not appear to be an immediate risk to children, it is likely you will be offered the chance to share the information yourself with your employer. In some cases, there may be requirements in your contract of employment to inform your employer about significant safeguarding events in your personal life. Once you have done this, the social worker or LADO may contact your employer to confirm that they are aware of what is going on.

Even if there is no duty under your contract of employment, it is a good idea to talk to your employer as soon as you can, as this will enable your employer to offer you support if you are under stress. Your employer will also have the chance to hear your account of what has happened. If you do not tell your employer yourself at an early stage, they may discover what has happened some other way, such as gossip or rumour. Again, the social worker or LADO may check with your employer that you have told your employer what has happened.

What if you don't want to share information with your employer?

Unless the information needs to be shared urgently, the person making the referral to the LADO will talk to you about why the information needs to be shared before it is

shared. If you don't want to share it yourself and don't give consent for the information to be shared on your behalf, you may be given time to think about it or if you want, to get some advice from, for example, your union or legal advisor. At the end of this process, if an agreement cannot be reached, your employer may still be informed by the LADO as the local authority has a legal duty to share some kinds of information where it relates to a risk of harm to children. Information might also appear on updated Disclosure and Barring (DBS) checks.

In general, the examples given above will require information being shared with your employer. However, there may be exceptions depending on:

- whether the information relates to events a very long time ago
- whether you are currently absent from work (for example, on maternity leave) or
- where the LADO strategy group concludes that it is not proportionate to share the information.

What information will be shared?

It is unlikely your employer will be told highly detailed information about you or your children much of which will be confidential to your family. The referrer or the LADO will talk to you about what does need to be shared and will try and agree a summary with you which will include only relevant information. You should be given details on the information that has been shared and will therefore have an opportunity to ensure it is accurate.

Will you lose your job?

Many people will remain in the workforce with support from their employer. Letting your employer know that there are issues outside work can be a relief. However some issues that arise may be so serious that a disciplinary process may start that could end in dismissal. Each case is different and will be looked at on its individual circumstances.

Only your employer can make decisions about whether you should remain working with children. The information shared by the LADO strategy group will be used by your employer to help them make a decision, while taking into account what they already know about you and your work.

What records will be kept?

The local authority will retain information provided to the LADO and notes of LADO strategy meetings are shared with professional participants. Your employer may also keep a record of the allegation made against you and details of how this was followed up.

What if you work with adults not children?

If you work with vulnerable adults, the legal framework is slightly different but the same general principles apply. Professionals may have a duty to disclose information about you if it is in the public interest.

Further information

Links:

- [**Working Together to Safeguard Children \(2013\)**](#)
- London Safeguarding Children Board:
[**Managing allegations against staff or volunteers, who work with children**](#)(5th edition)
- [**Southwark Children's Handbook**](#)
- [**LADO GUIDANCE NOTES \(links to be created\)**](#)
- [**Disclosure and Barring Service \(DBS\)**](#)
- [**Ofsted**](#)