

## **Children and Families Overview and Scrutiny Committee**

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**Date of Meeting:** 23<sup>rd</sup> March 2020

**Report Title:** Local Authority Designated Officer (LADO) Annual Report

**Portfolio Holder:** Cllr Kathryn Flavell, Portfolio Holder for Children and Families

**Senior Officer:** Mark Palethorpe, Acting Executive Director for People

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### **1. Report Summary**

- 1.1. This report provides an annual report on the statutory role of the Local Authority Designated Officer (LADO) in relation to referrals and the outcome of investigations.

### **2. Recommendations**

- 2.1. The Committee is recommended to note the report.

### **3. Reasons for Recommendations**

- 3.1. The function of the LADO is a key aspect of the overall safeguarding activity of the Local Authority and partner agencies.

### **4. Other Options Considered**

- 4.1. The committee could consider scrutinising this activity on a more frequent basis, but that would not provide the broader performance and themes that an annual report provides.

### **5. Background**

- 5.1. *Working Together to Safeguard Children 2018 (WTSC 2018)* requires local authorities to have a designated officer or a team of officers to be involved in the management and oversight of allegations against people who work with children.

- 5.2. The LADO oversees individual cases, provides advice and guidance to employers, voluntary organisations and liaises with the police and other agencies as required. The LADO has a responsibility to monitor the progress of individual cases to ensure they are dealt with quickly, fairly and consistently, as well as identifying significant patterns and trends across the workforce.
- 5.3. In Cheshire East there are currently two part time LADOs and one dedicated Business Support Officer; they sit within the Children's Safeguarding and Quality Assurance Unit.
- 5.4. The attached report sets out the performance and progress in relation to this role.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. The role and functions of the LADO is set out in *Working Together to Safeguard Children 2018 (WTSC 2018)*, the statutory guidance on inter-agency working to safeguard and promote the welfare of children.

### **6.2. Finance Implications**

- 6.2.1. There are no current finance implications.

### **6.3. Policy Implications**

- 6.3.1. There are no current policy implications.

### **6.4. Equality Implications**

- 6.4.1. There are no current equality implications.

### **6.5. Human Resources Implications**

- 6.5.1. There are no current HR implications.

### **6.6. Risk Management Implications**

- 6.6.1. The LADO manages allegations and concerns about any person who works with children and young people. The majority of investigations identified a need for further training/supervision and/or the need for a risk assessment to ensure that the employee's conduct remains appropriate and children are safeguarded from harm.

### **6.7. Rural Communities Implications**

- 6.7.1. There are no direct implications for rural communities.

## **6.8. Implications for Children & Young People/Cared for Children**

6.8.1. The LADO works to ensure that children and young people are safeguarded. The service continues to keep children's wellbeing, views, wishes and feelings central to procedures about managing allegations.

## **6.9. Public Health Implications**

6.9.1. There are no direct implications for public health.

## **6.10. Climate Change Implications**

6.10.1. There are no direct implications for climate change.

## **7. Ward Members Affected**

7.1. The LADO works across all wards in Cheshire East.

## **8. Consultation & Engagement**

8.1. Consulting with those involved in the managing allegations process is key to ensuring the LADO's role is having a positive impact on the managing allegations process and ultimately the safeguarding of children. The audit process in Cheshire East will therefore include the development of a 360° feedback exercise whereby partner agencies and adults who are the subject to allegations are consulted in relation to what works well within the managing allegations process and what could be improved.

## **9. Access to Information**

9.1. The following information supports this report:

9.1.1. LADO Annual Report for 2018-19 and business plan for 2019-20 (attached).

## **10. Contact Information**

10.1. Any questions relating to this report should be directed to the following officer:

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ANNUAL  
REPORT  
2018-2019

# Local Authority Designated Officer

## **Introduction**

### **The role of the Local Authority Designated Officer (LADO)**

Working Together to Safeguard Children 2018 (WTSC 2018) requires local authorities to have a designated officer or a team of officers to be involved in the management and oversight of allegations against people who work with children. The officer or team of officers should be sufficiently qualified and experienced to fulfil this role effectively. It also requires newly appointed officers to be qualified Social Workers.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419595/Working\\_Together\\_to\\_Safeguard\\_Children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf)

The LADO oversees individual cases, provides advice and guidance to employers, voluntary organisations and liaises with the police and other agencies as required. The LADO has a responsibility to monitor the progress of individual cases to ensure they are dealt with quickly, fairly and consistently, as well as identifying significant patterns and trends across the workforce.

In Cheshire East there are currently two part time LADOs and one dedicated Business Support Officer; they sit within the Children's Safeguarding and Quality Assurance Unit.

### **Context**

WTSC 2018 provides the threshold criteria for the management of allegations regarding adults who work and volunteer with children and young people. The guidance applies to allegations and concerns which suggest an adult who works or volunteers with children has:

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

The guidance applies to allegations and concerns about the adult's behaviour in their workplace, the community and their home and social life.

WTSC 2018 states that the guidance applies in its entirety to all schools, including independent schools, academies and free schools; who all have duties in relation to safeguarding and promoting the welfare of pupils, consistent with Keeping Children Safe in Education.

If the above criteria are met the LADO convenes a LADO Strategy Meeting where information is shared about the allegation and the children and adults involved. A decision is made at the meeting about how the allegation will be investigated.

If the allegation suggests a crime has been committed or a child is in need of protection the police and children's social care are invited to the meeting to provide advice on the need for a criminal investigation and/or assessment by children's social care. The process ensures all 3 potential investigations; criminal, employer and child protection, are coordinated and aligned so that both the child and the alleged perpetrator only have to provide their information once.

The LADO One Minute Guide and Managing Allegations leaflets provide more information about the process and are attached as appendices to this report.

## **Executive Summary**

### **Service Delivery, Reflection and Improvement**

Cheshire East Council has introduced Signs of Safety across Children's Services. This is a strengths based model which identifies: What is going well so we can build on existing strengths; what areas we are worried about or require more focus; what we need to change and how we will achieve it. The LADO service has begun to implement the model and the summary report below uses the Signs of Safety headings.

#### **What's going well?**

- Continuation of a simplified, more transparent data recording and collection system continues to enable effective working arrangements between two or more people covering the LADO duties and enhanced management oversight.
- All consultations, where threshold for further action has been met are recorded in accordance with the Data Protection Act 2018. This ensures information about adults who potentially pose a risk of harm is being collated effectively for future reference. This provides greater safeguards for children in Cheshire East.
- The LADO continues to ensure allegations are managed consistently and in a timely manner; 87% of strategy meetings were held within 5 working days and 82% were concluded within 6 months. Of the cases taking longer than 12 months 80% involved police investigations and the remaining 20% involved complicated employer disciplinary practices. These elements are beyond the control of the LADO and where it has been considered that unreasonable delay has occurred, this has been escalated with the appropriate agency.
- A LADO One Minute Guide is available via the LSCB website <http://www.cheshireeastlscb.org.uk>. This ensures managers who are considering making a referral to the LADO have a quick guide as to how and when to make a referral and what to expect when they do.
- The LADO has maintained positive working relationships with managers in partner agencies. To gain a better understanding of what our partner agencies think the LADO does well and what could be improved a 360° feedback exercise will be carried out as part of the business plan for next year.
- The LADO delivers Managing Allegations training twice a year, with the support of the LSCB Training Manager. The training content is reviewed and updated following each session. The training places an emphasis on managers and organisations implementing safe recruitment and safe working practices. The national findings of serious case reviews are used to demonstrate how failure to implement safe working practices was a key factor in the abuse of children by an individual in a position of trust/authority. Feedback remains positive with delegates citing trainer knowledge and experience as key aspects of their learning experience.
- Where an investigation identifies the allegation could have been avoided if more robust safeguarding procedures were in place the LADO provides advice and support to the designated manager and/or alerts the organisations regulatory body. Where

there are patterns and themes with particular agencies, this informs a more strategic approach to improve confidence and judgement.

- The LADO has a positive relationship with Cheshire East's Safeguarding Children in Education and Settings (SCiES) team; the two services work closely to identify and address any residual safeguarding concerns in schools and early years settings.
- The LADO Business Support Officer has delivered training to several members of the Safeguarding and Quality Assurance Business Support Team to ensure high standards are maintained and to build greater capacity.
- The LADO continues to be outward facing, attending quarterly North West Regional LADO meetings and participates in joint development initiatives via a shared regional work plan. Current work plan activity includes a review of the current data set, the development of joint protocols in relation to self employed / unregulated adults working with children and the use of a standardised auditing tool. Cheshire East's LADO is leading on the development of the auditing tool.
- The Northwest Regional LADO group is well established and a self assessment exercise carried out in 2018 identified that practice standards across the group are largely consistent, as are specific themes and trends in relation to allegation types.
- The LADO has contacted all known voluntary organisations that provide services to children in Cheshire East, highlighting the role of the LADO and statutory guidance in relation to managing allegations. Although this might not result in more referrals to the LADO it does provide some assurance that voluntary organisations in Cheshire East are aware of their safeguarding duties in relation to managing allegations.
- Managing Allegations leaflets have been produced for employers, employees and parents/carers; they aim to provide a simple guide for those involved in the allegation process and what can be expected when a referral is made to the LADO.
- An exemplar for investigation reports has been produced. This provides employers with an expected standard and aims to ensure greater consistency in terms of the quality of investigation and how it is recorded.
- The LADO ensures that involved children's views and needs are discussed at every LADO strategy meeting and attendees are reminded that safeguarding children is paramount; this includes children in the adult's home and social life.
- The LADO also ensures employers understand their duty of care to the staff member who is the subject of the allegation, the need to treat them fairly and provide them with support throughout the process.

### **What are we worried about?**

- As with previous years, referrals from and relating to those in the voluntary and faith sectors remain low. Given that these sectors are likely to provide support to some of our most vulnerable children and families it is imperative that managers in these sectors employ good safeguarding procedures which reference the LSCB's managing allegations procedures and the LADO's role within this.

- The LADO rarely receives feedback from children and adults working/volunteering with children about their experiences within the managing allegations procedures.
- The duration of cases that include Police Investigations, particularly those involving indecent images of children are consistently the most lengthy. The interrogation of computer hardware/software and mobile phones is currently taking over 12 months. This concern was reported in last year's annual report and has been raised with the Detective Inspector for Cheshire Police Public Protection Directorate; however there has been no improvement and the police have reported this is due to police resources not matching the increase in computer related crimes. LADO's across the country have reported a similar situation.
- Referrals from and about foster carers and early years practitioners have fallen for the past two years.

### **What Needs to Happen?**

#### **Create stronger links between the LADO and voluntary and faith groups in Cheshire East:**

- Reassurance that voluntary and faith organisations are aware of their statutory responsibilities in relation to managing allegations and the LADOs role: The LADO has made contact with voluntary organisations in Cheshire East providing information, advice and support about the LADO role and managing allegations. This will be repeated with faith organisations by the end of June 2019.
- The LADO will make contact with the safeguarding leads in the respective Church of England and Catholic Diocese and other faith organisations to gain a better understanding of their role, strengthen relationships and seek reassurance that those providing services to children are aware of Cheshire East's managing allegations procedures and the LADO's role within this.

#### **Ensure Foster Care Agencies and Early Years Settings are aware of, and have confidence in exercising their statutory responsibilities in relation to managing allegations and the LADOs role:**

- The LADO has arranged a meeting with Cheshire East's fostering team and will contact Independent Foster Care Agencies with foster carers living in Cheshire East to provide advice on the LADO's role and ensure they are aware of Cheshire East's managing allegations procedures and the LADO's role within this.
- The LADO will contact the Registered Managers and Owners of all early years setting in Cheshire East to offer support and advice on the LADO's role in managing allegations and as for Foster Care agencies above, ensure they are aware of Cheshire East's managing allegations procedures and the LADO's role within this.
- The LADO will monitor the impact of the above measures for fostering, early years, faith and voluntary settings on a quarterly basis.

#### **Maintain positive relationships with partner agencies:**

- Continue to adhere to the LADO Practice Standards and ensure allegations are managed consistently, fairly and in a timely way.



- As reported above, the LADO is leading on the development of a standardised joint audit tool for the North West Regional LADO Group. This will be implemented in Cheshire East by September 2019.
- Consulting with those involved in the managing allegations process is key to ensuring the LADO's role is having a positive impact on the managing allegations process and ultimately the safeguarding of children. The audit process in Cheshire East will therefore include the development of a 360° feedback exercise whereby partner agencies and adults who are the subject to allegations are consulted in relation to what works well within the managing allegations process and what could be improved.
- In addition to measuring the impact the LADO has within the managing allegations process the audit process will monitor the engagement of children and young people in the process.
- The results will be reported in next years LADO report to Cheshire East Safeguarding Partnership.

**Ensure the LADO's involvement has a positive impact on children's lives:**

- Continue to keep children's wellbeing, views, wishes and feelings central to procedures about managing allegations.
- Despite a decrease this year, as might be expected, a significant proportion of referrals to the LADO involve children living in foster care or residential settings, who are the subjects of care orders, have little or no positive contact with their family members and are placed in Cheshire East by local authorities from all over the UK. The LADO therefore ensures the child's social worker attends the LADO strategy meeting to represent the child's voice and to exercise parental responsibility. Social workers are asked to confirm the child's placement plan is up to date and that behaviour management plans are being followed appropriately by staff at the residential setting. The LADO also informs the child's Independent Reviewing Officer to reinforce the quality assurance process.
- Promote good children's safeguarding procedures and support organisations to implement them where they are not already in place.

**Recommendations for the Board**

- Low numbers of referrals from the voluntary and faith sectors is a recurring theme. The LADO would therefore welcome assurance from the board that these sectors are being provided with adequate support to recognise and fulfil their safeguarding responsibilities especially in relation to managing allegations.
- The LADO is concerned about the significant delay in resolving allegations that involve police investigations into computer based crimes. Cheshire Police have reported this is a resource issue and the LADO would welcome assurance from the board that this issue is being raised at a strategic level with Cheshire Police.

The Team Business Plan for 2019-20 is attached at Appendix 1.

## **LADO Performance Data: 2017/2018**

### **Referrals**

During 2018/19 there were **209** referrals to the Cheshire East LADO.

The LADO's response to referrals are categorised into 3 areas:

- **Consultation:** Referrals where the LADO threshold is not met (as per WTSC 2018 guidance).
- **No Further Action after Initial Consideration:** Referrals where some preliminary investigation is required by the referrer or employer to determine whether further action is required under LADO procedures.
- **LADO Threshold is met:** An investigation with LADO oversight is required and a LADO strategy meeting is needed.

Of the 209 referrals: 77 (37%) were categorised as Consultations; 78 (37%) as No Further Action after Initial Consideration; and 54 (26%) met the threshold for a LADO strategy meeting.

**Table 1 Referral Comparisons 2014 - 2019**

	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019
Referrals met LADO threshold	46 (19%)	72 (22%)	57 (24%)	64(28%)	54(26%)
Not met LADO threshold (Consultations & NFA)	193 (81%)	250 (78%)	176 (76%)	167(72%)	155(74%)
<b>Total</b>	<b>239</b>	<b>322</b>	<b>233</b>	<b>231</b>	<b>209</b>

- There have been fewer referrals (9.5%) to the LADO this year and it is noted that there have been less referrals from fostering agencies, early years settings and the voluntary sector.
- As a proportion, 26% of referrals met threshold for a strategy meeting, which is largely consistent with previous years with a 4% variance. The LADO role involves providing advice to employers and it is therefore expected that the threshold for a strategy meeting will not be met following every consultation/referral.
- Referrals not meeting the threshold for a strategy meeting came from all organisations: there are no discernible themes in relation to particular sectors or organisations.
- The details of referrals that don't meet threshold are recorded for future reference. This ensures repeated referrals regarding an employee's/volunteer's concerning behaviour can be considered as potentially more serious and an indicator that they pose a risk of harm to children. This also helps to identify if a specific agency needs more support in understanding thresholds and the role of the LADO.

### **Referrals by Referring Agency (the agency making the referral)**

The data in table 2 relates to the 54 referrals that met the threshold for a LADO Strategy Meeting.

	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019
Early Years	4	5	4	2	1
Education	20	14	17	23	24
Fostering	1	12	5	11	2
Health	0	2	0	0	0
Sports Club	1	2	0	1	1
Ofsted	3	2	3	1	2
Police	6	4	8	5	8
Residential	3	8	5	7	8
Social Care	5	17	12	5	5
Transport	1	3	1	2	0
Vol Organisations	2	3	1	5	1
*Other			1	2	3
<b>Total</b>	<b>46</b>	<b>72</b>	<b>57</b>	<b>64</b>	<b>54</b>

\*Other: Other LADO; Supported housing x 2

- Table 2 above relates to who made the referral; most referrals to the LADO are submitted by the subject's employer i.e. referrals about teachers are made by the head teacher; however this is not always the case and some referrals come from another source i.e. social care might make a referral about a teacher.
- Most referrals were from professionals working in the education sector (44%) which is a consistent trend, related to the fact that most referrals were about people working in the education sector and is reflected and consistent with referrals to LADOs across the northwest region.
- The number of referrals from the police has increased and it is worth noting that 47% of all referrals from the police met the threshold for the LADO's involvement.
- Referrals from the police related to adults working or volunteering in various settings with children; 50% of the referrals that met threshold for the LADO's involvement were about the adult's behaviour in their home or social life, all of which related to internet/computer crimes i.e. indecent images of children or inappropriate contact with a child via internet chat rooms and social media sites.
- There has been a decrease in referrals from foster care agencies: there were 8 referrals in total and only 2 (25%) met the threshold for the LADO's involvement. The LADO has arranged a meeting with Cheshire East's fostering team and will contact Independent Foster Care Agencies with foster carers living in Cheshire East to offer support and advice on the LADO's role in managing allegations.
- Referrals from voluntary agencies which met the threshold for the LADO's involvement reduced from 5 last year to just 1 this year; although there were a further

11 referrals which didn't meet the threshold this is still less than last year when there were a total of 14 referrals from voluntary organisations.

- In February 2019 the LADO contacted all known voluntary organisations providing services to children in Cheshire East reminding them of statutory guidance in WTSC 2018, inviting them to Managing Allegations training and providing them with the LADO one minute guide and advice leaflets. It is hoped that this will have a positive impact, however it is too early to capture this in this year's report.
- There have been no referrals from the faith sector this year. LADO's throughout the country, with a similar demographic to Cheshire East, have reported similar low levels. The LADO will contact all faith agencies and the safeguarding leads in the Church of England and Catholic Dioceses providing them with the LADO one minute guide and advice leaflets.
- There have been 14 referrals in relation to Children with Disabilities, of which 5 (36%) met the threshold for a LADO strategy meeting. All allegations were thoroughly investigated and the child's specific needs were considered throughout the process.
- There have been 17 referrals involving cared for children; 8 (47%) of who were children cared for by Cheshire East.

#### **Referrals by Employing Agency (the agency where the adult is employed)**

The data in table 3 relates to the 54 referrals, which met the threshold for a LADO Strategy Meeting.

**Table 3: Comparison Referrals by Employing Agency April 2013 – March 2018**

	2014/2015	2015/2016	2016/2017	2017/2018	2019/2020
Early Years	4	9	9	5	2
Fostering LA	1	13	2	7	2
Fostering Non LA	0	6	4	3	2
Social Care	1	6	2	1	0
Sports Club	1	0	0	2	4
Health	0	3	0	1	1
Residential	3	7	5	10	8
Education	23	18	27	21	28
Self Employed	5	3	1	2	0
Transport	2	5	3	3	1
*Other	1	0	1	3	4
Vol Organisation	5	2	3	6	2
<b>Total</b>	<b>46</b>	<b>72</b>	<b>57</b>	<b>64</b>	<b>54</b>

\*Other: Childminders x 2, Supported Housing x 2

- 52% (28) of referrals relate to adults who work in schools or colleges; broken down into type: primary school 18% (5), secondary school 43% (10), specialist school 25% (7), independent school 3% (1) and further education colleges 11% (3).

- Given the number of children who attend school and the significant amount of time they spend in school, it is expected that there will always be more referrals from this sector.
- Referrals about adults who work in schools and colleges are not in respect of teachers and teaching assistants they include non teaching staff such as: caretakers, midday assistants, office and catering staff. Of the 28 referrals 16 (57%) were about teachers, 7 (25%) about teaching assistants and 5 (18%) about non teaching staff.
- 17 (61%) of referrals about adults who work in schools or colleges related to allegations of physical harm to pupils, 6 (21%) related to sexual harm of pupils and 5 (18%) related to adults posing a risk of harm to pupils. From the 5 referrals relating to adults who might pose a risk of harm, 3 related to their conduct in school and 2 related to their home or social life.
- Referrals about staff in residential settings have remained fairly static. 5 of the 8 referrals (62%) related to children alleging physical harm as a result of physical intervention by staff members. Investigations concluded 4 of these 5 allegations were unfounded; 2 being false and 2 finding that any physical harm to the child involved was minor, unintentional and unavoidable due to the circumstances. The investigation into the fifth allegation regarding physical harm concluded the allegation was unsubstantiated as there was not enough evidence to either prove or disprove the allegation.
- It should be noted that cared for children are more likely to have complex emotional and behavioural needs and those living in residential settings (children's homes) often exhibit challenging behaviour which requires physical intervention by staff members to prevent injury to themselves and others. It is of course an absolute given that physical intervention is only used when all other attempts to deescalate a situation have failed and children should not be injured as a result.
- The LADO's role is extremely important in providing an independent oversight into the management of allegations in such situations. The LADO: 1) ensures the involved child's voice is heard, 2) identifies any concerning themes in relation to specific staff members and/or settings and 3) challenges and reports any ongoing concerns about practice and management of settings to the LSCB and Ofsted as necessary.
- The amount of referrals about staff in early years settings has reduced further this year. Cheshire East's Early Years Service and the Safeguarding Children in Education Team (SCiES) have confirmed that the LADO role and managing allegations is included in their children's safeguarding training to early years settings; however to provide further assurance, the LADO will contact all early years settings in Cheshire East providing the One Minute Guide and inviting registered Managers to attend the LSCB's Managing Allegations Training.

## Categories of Harm

The data in table 4 relates to the 54 referrals that met the threshold for a LADO Strategy Meeting

**Table 4: Comparison Categories of Harm April 2013 – March 2018**

	2014/15	2015/16	2016/17	2017/18	2018/19
Emotional	0	2	2	5	1
Risk of Harm	11	15	14	18	15
Physical	22	40	33	31	27
Sexual	13	4	8	10	11
Neglect	-	1	0	0	0
<b>Total</b>	<b>46</b>	<b>72</b>	<b>57</b>	<b>64</b>	<b>54</b>

- Referrals relating to physical harm continue to account for the majority of referrals (50%) which is a consistent trend.
- Referrals relating to risk of harm account for 28% of referrals which is the same as last year. 60% (9) of these referrals were about the adult's behaviour in their home or social life and the other 40% (6) were about the adult's poor conduct in the workplace.
- It should be noted that referrals about an employee's poor conduct rarely meet the threshold for LADO involvement; to meet the threshold for LADO involvement the adult's alleged poor conduct must be either extreme or repeated following previous advice and guidance, for example a teacher who consistently ignores safeguarding procedures which in turn exposes their pupils to a risk of harm.
- Referrals relating to sexual harm account for 20% of referrals which is higher than the previous three years. At the time of writing this report, investigations into 4 of the 11 allegations are not yet complete, however the 7 that have been completed concluded as follows:
  - 2 were substantiated; the adults were dismissed and subsequent referrals made to the Disclosure and Barring Service (DBS) who will decide whether the adults will be barred from working with children and vulnerable adults.
  - 1 was unsubstantiated; this was an allegation about a non recent incident and there was not enough evidence available to prove or disprove the allegation, rather one person's word against another's.
  - 4 were unfounded; 1 was clearly false and the other 3 involved the person who made the allegation misinterpreting the adult's behaviour. 2 of the allegations would most likely have been avoided if the adult involved had followed guidance on safe working practices with children and young people.
- The referral relating to emotional harm involved a staff member repeatedly speaking unprofessionally to a child.
- No referrals were due to neglect. This is to be expected, as neglect, when caused by an adult working or volunteering with children, is most likely to occur in foster care

and residential homes. In such settings the care and outcomes of children is closely monitored, therefore preventing neglect (defined by the LSCB as the persistent failure to meet a child's basic physical and/or psychological needs).

## Outcomes

The following data and analysis relates to the referrals concluded during the reporting period April 2018 – March 2019; the referrals were not necessarily referred in this period, but all met the threshold for a LADO strategy meeting.

- The LADO categorises the outcomes of allegations as follows; the categories are agreed by the National LADO network and used by all LADOs.
  - **Substantiated:** the allegation has been proven. Evidence has been provided that confirms that the allegation is true. Standards of proof must be considered when deciding whether an allegation is substantiated or not. For example, to be convicted of a crime an accused person must be proven guilty 'beyond all reasonable doubt'; however, disciplinary proceedings, in the absence of clear proof are likely to consider a 'balance of probabilities' to determine whether an allegation is substantiated or not.
  - **Unsubstantiated:** this is not the same as a false or unfounded allegation. It simply means that there is insufficient evidence to prove or disprove the allegation. The term therefore, does not imply guilt or innocence.
  - **Unfounded:** this indicates that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of the circumstances. For an allegation to be classified as unfounded, it will be necessary to have evidence to disprove the allegation.
  - **Malicious:** this implies a deliberate act to deceive. For example a malicious allegation may be made by a pupil following an altercation with a teacher or a parent who is in dispute with a school. For an allegation to be classified as malicious, it will be necessary to have evidence which proves this intention.

**Table 5: Outcome of Investigations**

	2016/17	2017/18	2018/19
Substantiated	17	<b>18</b>	<b>27</b>
Unsubstantiated	17	<b>15</b>	<b>11</b>
Unfounded	12	<b>18</b>	<b>15</b>
Malicious	0	<b>0</b>	<b>0</b>
<b>Total Cases Closed</b>	<b>46</b>	<b>51</b>	<b>55</b>

- The amount of substantiated allegations have increased this year from 35%-49% and unfounded allegations have remained fairly static.
- Unsubstantiated allegations have fallen to 20% in comparison to 30% last year and 37% the year before. This trend should be viewed positively as allegations concluded as substantiated or unfounded provides greater clarity for both the involved children and staff members.



**Table 6: Employer Action Following Investigation**

Cessation of Use	1
Dismissal	7
Deregistration	3
Resignation	5
Disciplinary Action	5
Supervision/Risk Assessment/Training Needs	25
No Further Action	9
<b>Total</b>	<b>55</b>

- As with previous years the majority of investigations (46%) identified a need for further training/supervision and/or the need for a risk assessment to ensure that the employee's conduct remains appropriate and children are safeguarded from harm. In addition, 5 employees were subject to disciplinary proceedings which did not result in dismissal, but did recommend the employee receive further training and support in relation to their practice.
- There were 16 referrals (29%) where the employee/volunteer was either dismissed or left their employment with children; all but three of these were referred to the DBS who decide whether the adults will be barred from working with children and vulnerable adults. Of the 3 cases that weren't referred to the DBS, 2 employees resigned rather than being dismissed and would have received further training had they not resigned. In the remaining case the allegation was unsubstantiated in terms of harm being caused to a child; however the employee was dismissed for breaching the company's code of conduct in relation to professional boundaries.
- All 9 of the cases where no further action was taken related to unfounded allegations.

**Table 7: Time from Referral to Completion**

Time taken	Total
Less than 1 month	11
1-3 months	24
3-6 months	10
6-12 months	4
12 months +	6
<b>Total Cases</b>	<b>55</b>

- The LADO has continued to ensure that allegations are managed in a timely way; 64% of cases were concluded within 3 months and 82% within 6 months.
- From the 4 cases which took between 6 and 12 months to conclude, 3 required a police investigation and 1 involved disciplinary proceedings which were delayed due to the employee being away from work.
- From the 6 cases which took longer than 12 months 5 involved a police investigation; 3 of which incurred significant delay within the court system and 1 required extensive investigation of computer equipment.
- As reported in last years report; the delay around court hearings appears to be linked to judiciary capacity and beyond the involved agencies control. Such delay is



reported to have had a substantial negative impact on the emotional well being of both the alleged victims and the alleged perpetrators and their respective families.

- The LADO completes a 4 weekly review on all open cases to ensure there is no unnecessary delay and drift and involved agencies are updated with any new information.



*Working for a brighter future together*

Team business action plans 2019/20:

## **The Children's Safeguarding and Quality Assurance Service 2019/20**

### **Our Service Key Priorities for 2019-20**

<b>Outcome 5 - People live well and for longer</b>
<ul style="list-style-type: none"><li>• To ensure we seek user feedback about their experience of our services that informs practice, co-produce service development and our tools with children, young people and the adults we work with.</li></ul>
<ul style="list-style-type: none"><li>• To ensure that reviews for cared for children take place and outcomes are recorded within statutory timescales.</li></ul>
<ul style="list-style-type: none"><li>• To continue to develop the child protection conference process to ensure that safety planning is reflecting the child's assessed needs, reduces risk and is effectively stress tested to ensure decisions protect children in the long term.</li></ul>
<ul style="list-style-type: none"><li>• To develop a robust independent foster care review service that promotes quality provision for children and young people, identifies trends and informs provision</li></ul>
<ul style="list-style-type: none"><li>• To work with the operational service to better understand and prevent disruption of placements for cared for children.</li></ul>
<ul style="list-style-type: none"><li>• To co-ordinate, manage and deliver a whole family Domestic Abuse service across the continuum of need that is dovetailed to the management of risk to children living in those families and maximises sub regional efficiencies.</li></ul>

<ul style="list-style-type: none"> <li>• To ensure the PAN Cheshire arrangements for delivery of sexual assault services provides a responsive quality service that delivers value</li> </ul>
<ul style="list-style-type: none"> <li>• To ensure the new arrangements for Cheshire East Safeguarding Children's Partnership are successfully implemented and the key agencies have a good understanding of the effectiveness of those arrangements in safeguarding children and young people</li> </ul>
<ul style="list-style-type: none"> <li>• To implement the quality assurance framework and provide evidence of the quality and impact of social work practice to inform priorities for further development</li> </ul>
<ul style="list-style-type: none"> <li>• To develop a multi-agency contextual safeguarding model to manage risk and keep children and young people safe</li> </ul>
<ul style="list-style-type: none"> <li>• To further embed the Signs of Safety operational model into child protection conferences and cared for children reviews</li> </ul>
<ul style="list-style-type: none"> <li>• To continue to develop services, strategies and protocols to safeguard children across the PAN Cheshire and regional footprint where this provides the best quality and value of service to the residents of Cheshire East</li> </ul>
<b>Outcome 6 - A responsible, effective and efficient organisation</b>
<ul style="list-style-type: none"> <li>• Continue to ensure that our recruitment and retention offer attracts high quality practitioners, who are committed to our Signs of Safety way of working and Cheshire East values.</li> </ul>
<ul style="list-style-type: none"> <li>• To continue to develop our business processes so the products are meaningful to the families we work with and the process is efficient.</li> </ul>

Team: Local Authority Designated Officer (LADO)

Plan Lead: Melanie Campbell

Quarter report: Q1

<u>Priority objective</u>	<u>Impact statement</u> (when you achieve this what will the impact be for C&YP and their families)	<u>Measures of success</u>	<u>Actions needed to achieve priority objective</u>	<u>Action lead</u>	<u>Timescales for completion</u>	<u>Quarter RAG rating -colour red/amber/ green (explain reasons for any exceptions)</u>
1. Strengthen links with the Faith Sector to ensure that groups providing services to children are aware of Cheshire East's managing allegations procedures and the LADO's role and to then support the groups to work effectively within the procedures.	Children will be safer as poor or risky practice will be identified, challenged and improved; adults who pose a risk of harm to children will be removed from the workforce.	More professionals from the Faith Sector attending Managing Allegations training.  An increase in contacts with LADO from this sector.  Directory of groups within Cheshire East to be	Identify faith groups providing services to children including small independent groups and the safeguarding leads for the Church of England and Catholic Diocese.  Seek assurance that those providing services to children are aware of Cheshire East's managing allegations procedures and the LADO's role within this.  Offer additional support to those groups who need it to enable them to work effectively within the managing allegations	Melanie Campbell	Directory of groups to be developed and links made by 30.09.19  Review every quarter	Green: Initial contact has been made with Designated Safeguarding Leads The LADO and LADO BSO have allocated time in August 2019 to produce a directory of groups

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		developed so that they are able to receive updates etc	procedures			
2. Develop and Implement a quality assurance audit program which includes the experiences of those individuals who are directly involved in the process - children -professionals involved in the investigation - professionals against whom the allegation has been made	User feedback will support service development.  The views of children will be gathered and acted upon to improve service delivery to them.	We will see increasing satisfaction from service users via feedback.  There will be evidence of service user views informing service development.	Annual audit of at least 10 randomly selected LADO cases.  Feedback to be sought following the conclusion of each case from <ul style="list-style-type: none"> <li>• Children/parents</li> <li>• professionals involved in the investigation</li> <li>• professionals against whom the allegation has been made</li> </ul>	Melanie Campbell / Phil Allcock	Audit tools / Feedback forms and online survey to be created by 31.08.19 Audit program to be implemented in Q2	Green: An audit tool has been produced, the audit program dates agreed.  Feedback forms and online survey will be finalised in August 2019.