

INFORMATION FOR PERSONS REFERRED TO THE LADO SERVICE



What happens if an allegation is made against you?

All Local Authorities must have a 'Local Authority Designated Officer' (LADO) in place to oversee and facilitate the process that examines allegations made against adults who work or volunteer with children and young people either in a position of trust and/or in a regulated activity. A 'Person of Trust' includes (but is not exclusive to): teachers, teaching assistants, sports coaches, nursery workers, school cleaners and caretakers, childminders, residential staff, foster carers, social workers, general practitioners, nurses, specialist school transport assistants and their drivers, members of the clergy and faith leaders, church wardens etc. All agencies and organisations, whatever their business status, have a statutory duty to share information in instances where they believe children may be at risk of harm. [Children's Act 1989; 2011. Working Together 2018. Keeping Children Safe in Education 2022].

What is an allegation or concern?

Working Together to Safeguard Children (2018) describes concerns about a persons' behaviours in the following ways:

- **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 they may pose risk of harm to children**
- **behaved in a way that indicates they may not be suitable to work with children.**

As well as concerns and allegations raised in a person's place of work, concerns regard a person's conduct in their personal life may also be considered relevant as the LADO and your employer/agency must consider the transferable risk.

Examples may include instances in which:

- a child you care for becomes subject of child protection enquiries by Children's Social Care.
- You have been the subject of a criminal investigation in relation to offences against children.
- You have difficulties with drug or alcohol misuse 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 to you.

Allegations considered may be current or historic. While allegations and concerns can be raised by the child, the employer, or a colleague; anybody, including members of the public, can report concerns they have about a person working or volunteering with children to the LADO.

What happens next?

Where it is considered that the threshold for a safeguarding LADO process has been met, an Initial LADO Meeting (ILM) will be convened by the LADO service. The purpose of the meeting will be to ensure that all necessary parties are aware of the details of the allegations or the concern. This will include your employer(s) and or agency and may include the child's social worker (if they have one) or the child's school, the Police, and or a safeguarding representative from any voluntary organisations you may be affiliated to.

It will be agreed how the concern or allegation is investigated and who will undertake the process, i.e. which agencies shall be responsible for investigating or collating information that will inform the Final safeguarding LADO process decision.

Depending upon the seriousness or nature of the concern or allegation, this can be investigated by the Police, Children's Social Care, or by an employer/regulatory agency under their disciplinary procedures. Please note that all previous concerns and allegations about you will be considered as part of the ongoing safeguarding process.

You will be informed by your employer/agency of the concern or allegation and that this matter is subject of the safeguarding LADO process. Your employer/agency will also explain the investigation that is going to take place and will update you on the progress of the process as soon as is reasonable, depending on the extent and nature of that investigation.

Throughout the investigation and safeguarding LADO process, you can expect to receive support from your employer or voluntary agency. This will include being allocated a named person who will keep you updated and who will signpost you to all types of support that are available to you.

In some organisations, staff counselling will be made available to you, in other instances, you will be directed to universal services such as your G.P. and or the NHS Wellbeing Service.

If you are a member of a trade union, you should also contact them.

Will you be suspended from work?

The decision to suspend an individual from their role as an employee or volunteer is always that of the employer/agency with advice and guidance from their Human Resources department and/or employment legal adviser. It is not the decision of the individual LADO or the overall LADO process whether an individual is suspended from their role. If you have any questions on this matter, please speak with your employer/agency

Your views regarding the event of concern/allegation:

It is the expectation that your employer/agency seeks and fairly represents your views and response to the allegations made against you within the investigation and the overall safeguarding process. However, should you wish to, you can independently email your account of events to the LADO@norfolk.gov.uk. Please note the LADO cannot enter into a dialogue with you about the information you share or any part of the safeguarding process.

Role of the LADO:

The LADO will:

- Oversee and facilitate the multi-agency process that examines allegations made against adults who work or volunteer with children and young people either in a position of trust and/or in a regulated activity.

The LADO will not:

- Undertake any investigation
- Have direct communication with the person subject of the allegation
- Provide advice and support to the person subject of the allegation
- Provide HR advice in respect of suspension or dismissal

How long does the safeguarding LADO process take?

It is in everyone's interest for cases to be dealt with thoroughly and in a timely manner and for unnecessary delays to be avoided. Some cases will take longer because of their specific nature or complexity. Please note the LADO is not able to set a confirmed timescale for completion of an investigation as the process depends on several factors including the nature / complexity of the concerns. The LADO will however, endeavour to minimise unnecessary delays by liaising regularly with the agency undertaking the investigation.

Outcome of the safeguarding LADO process

At the Final LADO meeting (FLM), the outcomes of the investigation, the information you have shared about the events of concerns and the views of the child who is the alleged victim, are shared and considered.

Meeting attendees are asked, based on this information, to decide on the balance of probability if the allegation is:

1. **Substantiated:** where there is sufficient identifiable evidence to prove the allegation.
2. **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.
3. **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.
4. **False:** where there is sufficient evidence to disprove the allegation.
5. **Malicious:** whether wholly or in part an allegation has been made with a deliberate intent to deceive or cause harm to the person subject to the allegation.

You will be informed of the outcome of the meeting by your employer/agency.

What happens next?

This depends upon the severity of the allegation and the outcome decision of the LADO process; however, onward actions may include:

- Your employer/regulatory agency undertaking a Risk Assessment in respect of your ongoing role with children. The outcome of this may include further training, enhanced supervision and monitoring or modifications to your role within the organisation.
- In some cases, an employer/regulatory agency may take the decision to follow with their own employment / disciplinary processes.
- Informing the Disclosure and Barring Service of the concerns/allegations and the outcomes of the Safeguarding LADO process
- Informing other applicable statutory and regulatory agencies such as Ofsted, Early Years Advisory Service, Transport Regulators, of the concerns/allegations and the outcomes of the Safeguarding LADO process.

In addition - **it is the expectation that you inform any other employer or agency with whom you hold a position of trust, that you are, or have been, subject of a safeguarding LADO process and of any subsequent outcome.**

Information sharing and management:

All agencies have a duty to share information in instances where they believe children may be at risk of harm. Within the LADO process every effort is made to ensure that confidentiality is

maintained, and information is restricted to only those individuals who have an essential need to know.

Once the LADO process is concluded and the record of the final meeting has been approved by the participants you can request to see the minutes of the LADO meetings that have taken place. You can do this by contacting Norfolk County Council's Information Management Compliance Team via [Getting access to your information - Norfolk County Council](#). Please be aware third-party information (such as the personal details of alleged victim/s, names of witnesses etc.) will not be shared and only information pertaining to the person of concern will be provided. The Local Authority will retain a record of the allegation and any associated documents in archive.

Further information about the Norfolk LADO Safeguarding process can be found on the Norfolk Safeguarding Children's Board website.

When further support is needed:

When an allegation is made against you the emotional, social and economic impact on you can be significant. It is essential that you receive all the support that is available to you. As well as universal services such as your G.P., you may be entitled to access services through your employer/agency i.e. telephone counselling and occupational health.

Your employer/agency should make you aware of any additional services that are available to you. You may also wish to contact your trade union representative if you have one

Useful Contacts:

- Advisory Conciliation and Arbitration Service (ACAS) www.acas.org.uk 0300 123 1100 (8am – 6pm Monday -Friday)
- Education Support Partnership (for staff in Education) 08000 562 561 (free, confidential advice on any issue whether personal or professional); 24/7 365 days a year.
- Norfolk Citizens Advice Bureau Millennium Library, The Forum, Millennium Plain NORWICH, NR2 1TF <http://www.ncab.org.uk/public@ncab.org.uk> Adviceline - 03 444 111 444
- Norfolk County Council Compliments and Complaints Team.
complimentsandcomplaints@norfolk.gov.uk
- Norfolk LADO Service LADO@norfolk.gov.uk
- Samaritans T: 116 123 19 St. Stephen's Square, Norwich NR1 3SS 62 North Quay, Great Yarmouth, Norfolk, NR30 1JB
- Mind 0300 123 3393 info@mind.org.uk
- NHS Norfolk Wellbeing Service 0300 123 1503 (4pm to midnight weekdays; 10am to midnight weekends)

NB: This general guide does not replace any specialist advice that you may be given by a Trade Union, HR or Legal Advisor.