

Aide Memoir

Guidance for attendees of Multi Agency LADO Meetings (MALM)

This Multi-Agency LADO Meeting is held under Government guidance set out in Working Together to Safeguard Children 2018 (updated 2020), Chapter 2. The procedure for managing allegations against adults who work or volunteer with children are to be used in respect of all cases in which it is alleged that a person who works with children has:

- Behaved in a way which has harmed a child, or may have harmed a child
- Possible committed a criminal offence against or related to a child
- Behaved towards a child or children in a way that indicates s/he may pose risk of harm to children
- Behaved in a way that indicates they may not be suitable to work with children.

During a MALM the following will be considered:

Information Sharing

When attending a MALM it is important that information is readily available to and from agency representatives. This checklist will assist you to provide what is needed.

Information about the allegation/ concern

- Any letters
- Accounts of discussion /written records /statements / disclosure
- Chronology of events where appropriate
- Identification and details of any witnesses

Information about the child/ren (adult if historical abuse)

- Child's details – dob /address
- Family details
- School file/ pupil records (attainment /SEN)
- Background information /history (including if there have been any previous allegations)
- Current update to child's circumstance – voice of the child

Information about the person of concern

- HR file including any previous disciplinary or capability information
- Career profile
- DBS and or police records and intelligence
- Any previous concerns/ incidents
- Family situation – partner /children
- Involvement with other agencies
- Contact with children outside of work, e.g. coaching /volunteering
- Consider their own representation about the allegations against / concerns about them

It is important to attend with an open mind and to be non-judgemental with regards to the incident or people involved. In order to safeguard children, information should be shared in an open and honest and professional manner.

In respect of allegations against / concerns about All Professionals:

- Agree whether the threshold is met for a criminal investigation
- Consider any previous allegations or concerns raised and outcome from previous LADO referrals
- Decide whether enquires under Section 47 Children's Act 1989 should be undertaken (require separate strategy recording on Child's record – allocated manager responsible)
- Consider whether any parallel disciplinary process should take place
- Decide how information and support will be provided to the alleged victim and perpetrator and by whom
- Consider if the alleged perpetrator should be suspended from contact with children; any decision about suspension would remain the responsibility of the employer
- Consider any other children who may be affected by the allegation and check if the person has contact with any other children e.g. as a volunteer, grandchildren etc
- Check if there is a current DBS
- A clear Action Plan and Record of the meeting will be produced which will be shared as soon as possible following the MALM

In respect of allegations against / concerns about Foster Carers:

- How and who will provide feedback to the foster carers(s) about the adjudication?
- What are the implications for the children(ren) concerned in the investigations (include how they will be informed of the outcome and consider their needs for support/counselling/contact etc?)
- How will the child(rens) parents be informed of the outcome of this process (state reason if parents will not be informed)?
- Are there implications for the child(ren's) Care Plan?
- Who will notify the Independent Reviewing Officer (IRO) for the child if not present?
- Any decisions about the child(ren) Care Plan including whether they should be removed from the foster placement should be discussed in a child specific strategy discussion / meeting by the relevant Social Care Manager and with the Assistant Director for Children's Service who will consider whether this decision will be ratified.
- What are the implications for the foster carers and their family (consider supervision and support needs)?
- Recommendations concerning the future of approval of the foster carer(s), further reviews of the foster carer(s), referral to DBS, training, other work with children and disclosures to employers.

Decision Making

Once all investigations have been done and the person under investigation has had an opportunity to provide their account in response to the allegation, the Multi-Agency group attending the LADO meetings and who participated in the process of the investigation will be required to express their professional view about the adjudication. Decision making is not the sole responsibility of the LADO. The LADO may need to cast a deciding vote or express a different view from the rest of the attendees in exceptional circumstances and will remain responsible for the final decision. The threshold for a safeguarding decision is often made on balance of probabilities, where a lower burden of proof is acceptable, as opposed to the threshold of beyond all reasonable doubt expected in a court of law. The decision will be made on the facts and information from the investigation presented during the process and would need to be proportionate and fair.

CONFIDENTIALITY

In order to reach fair and proportionate decisions about the allegations under discussion, it is essential that there is an open and full exchange of information and views. That being so, this meeting requires agreement from all participants that the following boundaries of confidentiality will be respected in the dual interests of safeguarding children and of being fair to the person of concern / alleged perpetrator:

- Information exchanged within the meeting, whether verbally or in writing, will remain confidential to those present, unless exceptions to this are explicitly agreed by the Chair of the Multi-Agency LADO Meeting (MALM)
- The notes of the meeting will under no circumstances be shared with the alleged perpetrator / person under discussion, but they may make a subject access request through the Norfolk County Council Information Management team who will provide suitably redacted information from the MALM;
- The notes of the meeting will not be photocopied nor be used in disciplinary or other proceedings, nor submitted to the Disclosure and Barring Service or other professional or regulatory bodies. In such circumstances, contact the Chair of the MALM to agree the necessary information to be lifted from the MALM for other processes;
- The notes of the meeting will be kept in a confidential section of the employer's files
- The notes of the meeting will not be kept on any children's social care files