



INFORMATION FOR PERSONS REFERRED TO LADO

What happens if an allegation is made against you?

What happens if an allegation is made against you?

All Local Authorities must have in place a 'Local Authority Designated Officer' (LADO) to manage and oversee investigations into 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. Examples include (but are not exclusive too): 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, church wardens etc.

What is an allegation or concern?

With reference to Working Together to Safeguard Children (2018) employers and professional agencies have a responsibility and duty to report allegations or concerns that make reference to an adult having:

- 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 has to 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?

In instances where it is considered that the threshold for a Safeguarding LADO process has been met, an Initial Multi Agency LADO meeting (MALM) or discussion shall be convened.

The purpose of the meeting or discussion 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 who and how the concern or allegation is investigated i.e. which agencies shall be responsible for finding out or collating information that will inform the Final LADO safeguarding process decision.

Information Sharing:

As detailed in the introductory part of this leaflet, statutory agencies have a duty to share information in instances where they believe children may be at risk of harm. However, every effort is made to ensure that confidentiality is maintained, and information is restricted to those who have a need to know. Only once the LADO process is concluded and the minutes / record of the final meeting have been approved by the participants, can you request to see the minutes of the Multi-Agency LADO meetings that have taken place by contacting Norfolk County Council's Information Management Compliance Team via information.management@norfolk.gov.uk. However, third party information (such as the personal details of the alleged victim, names of witnesses etc.) shall be removed and only information pertaining to the person of concern shall be provided. The local authority will retain a record of the allegation and any associated documents in archive.

Will you be suspended?

It is not the decision of the LADO process whether an individual is suspended. The decision to suspend is always that of the employer/agency with support from their Human Resources.

What you can expect?

While investigations are not conducted by the LADO, the process is managed by the LADO and you will be notified and kept informed by your employer/agency of developments as soon as is reasonable depending on the extent and nature of the investigation.

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

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 being signposted to all the streams 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 make contact with them also.

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 expeditiously, fairly and thoroughly and for unnecessary delays to be avoided. Some cases will take longer because of their specific nature or complexity. However, the LADO will endeavour to minimise unnecessary delay and ensure that investigations are resolved as quickly as possible.

LADO invitees will be asked to detail and describe you and your role with children, and whether there have been any previous allegations or concerns made against you.

Your views

It is the expectation that your employer/agency seeks and fairly represents your views and response to the allegations made against you. However, should you so wish you can email your views independently to the LADO@norfolk.gov.uk.

The Outcome of the Safeguarding LADO process

At a final LADO meeting/case discussion, attendees will be asked to decide if the allegation on the balance of probability 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 by your employer/agency as soon as possible.

What happens next?

Depending upon the severity of the allegation and the outcome decision of the LADO, your employer shall need to conduct a Risk Assessment in respect of your ongoing role with children. This may include further training, enhanced supervision and monitoring, modifications to your role etc. However, in some cases, your employer may take the decision to follow with their own employment/disciplinary processes. The decision to suspend or dismiss is always a decision for the employer or agency and not the LADO.

NB: This general guide does not replace any specialist advice that you may require from a Trade Union or HR and Legal Advisor.

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 a subject of a safeguarding LADO process and of any subsequent outcome.

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

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 Information Management Compliance Team.**
01603 222661
information.management@norfolk.gov.uk
- **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)