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| <b>Report for:</b>           | <b>Children's Safeguarding Policy and Practice Committee</b>                                    | <b>Item Number:</b> |  |
| <b>Title:</b>                | <b>Local Authority Designated Officer Annual Report 2012/13</b>                                 |                     |  |
| <b>Report Authorised by:</b> | <b>Marion Wheeler – Assistant Director</b>  |                     |  |
| <b>Lead Officer:</b>         | <b>Rachel Oakley, Head of Service, Safeguarding, Quality Assurance and Practice Development</b> |                     |  |
| <b>Ward(s) affected: All</b> | <b>Report for Key/Non Key Decisions:</b>  |                     |  |

## **1. Describe the issue under consideration**

- 1.1. Haringey Council, in conjunction with Haringey Safeguarding Children's Board (HSCB), has a duty to ensure that all allegations of abuse or maltreatment of children by a professional, staff member, foster carer, or volunteer be considered and treated in accordance with national guidance.
- 1.2. Attached [appendix A] is the Local Authority Designated Officer's (LADO) annual report of allegations made against adults who work with children. The report provides profiling analysis of allegations made in the Borough, comparative data and an update of the interventions and development work completed during 2012/13.

## **2. Cabinet Member introduction**

## **3. Recommendations**

- 3.1. Members to note the development work completed and the next stage of work which is to initiate discussions with partner agencies; Health and Police, to ensure they are compliant with Working Together 2013. See attached report [appendix A].

## **4. Other options considered**



## **5. Background information**

5.1. Working Together to Safeguard Children was significantly revised and republished in 2013, effective from the 15<sup>th</sup> April 2013; however, there were no changes to the substance of this part of the guidance or the role of the LADO. Further information on the role of the LADO as outlined by Working Together is attached [appendix B].

## **6. Comments of the Chief Finance Officer and financial implications**

6.1. The cost of the LADO service is contained within the Children and Families base budget. There are no other particular financial consequences associated with this report.

## **7. Head of Legal Services and legal implications**

7.1 There are no direct legal implications arising from the recommendation of the report.

## **8. Equalities and Community Cohesion Comments**

8.1. The Local Authority Designated Officer (LADO) has management oversight of all individual cases where allegations are made against people who work with children. All employers of child care staff have access to services provided by the LADO, allegations and the treatment of allegations are monitored to ensure the thresholds are applied evenly and the outcomes are proportionate.

## **9. Head of Procurement Comments**

## **10. Policy Implication**

10.1. Whilst there have been recent revisions to Working Together to Safeguard Children [see above 5. Background information] there are no policy implications in relation to allegations made against adults working with children.

## **11. Use of Appendices**

11.1 Local Authority Designated Officer's (LADO) annual report of allegations made against adults who work with children [appendix A].

11.2 Additional information on the role of the LADO as outlined in Working Together to Safeguard Children guidance [appendix B].

11.3 LADO Action Plan 2013/14

## **12. Local Government (Access to Information) Act 1985**

# **Allegations against adults who work with children**

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Local Authority Designated Officer Annual  
Report  
April 2012 – March 2013



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## **1. Introduction**

- 1.1 Haringey Council, in conjunction with Haringey Safeguarding Children's Board (HSCB), has a duty to ensure that all allegations of abuse or maltreatment of children by those working with children e.g. staff member, foster carer, or volunteer be considered and treated in accordance with national guidance.
- 1.2 The duty of statutory agencies who work with children to work together as separate, but involved, agencies to safeguard children and address allegations made against staff is detailed in key legislation pertaining to the sector.
- 1.3 In compliance with *Working Together to Safeguard Children (2010)*<sup>\*</sup>, Haringey has a Local Authority Designated Officer (LADO) who is involved in the management and has oversight of individual cases where allegations are made against people who work with children.
- 1.4 In Haringey, the operational role of the LADO sits in Children and Families Service, within the Children and Young People's Service. A designated Child Protection Advisor undertakes the role with oversight by the Head of Service, Safeguarding, Quality Assurance and Practice Development. Further information on the role of the LADO is attached [appendix B].

## **2. Development**

### **2.1 Key development work completed in 2012/13<sup>†</sup>**

- Review of the thresholds for progressing referrals to strategy meeting stage – to ensure referrals receive the appropriate level of response.
- New workflow designed resulting in a process that is explicit to all
- The documentation and guidance has been reviewed and updated
- Development of confidential electronic recording system (on framework-i) for LADO referrals, improving recording and reporting capability significantly, resulting in following improvements operational from 1<sup>st</sup> April 2013:
  - service able to record and report in detail on all consultations and allegations which meet threshold

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<sup>\*</sup> Working Together to Safeguard Children was significantly revised and republished in 2013, effective from the 15<sup>th</sup> April 2013; however, there were no changes to the substance of this are part of the guidance.

<sup>†</sup> Reported activity is limited to quarter 3 and 4. Appointment of LADO and transfer of oversight of work to Head of Service for Safeguarding, Quality Assurance and Practice Development, made at the end of September 2012.



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- capture and reporting of all performance related data such as nature of referral, referring agency, setting of employment
- capture and reporting of diversity data of alleged perpetrator(s) and alleged victim(s)
- ability to compare and contrast data with allegations made within perpetrators own families or outside work
- reporting of outcomes
- reporting of length of time to resolve cases
  
- Development of system for recording and monitoring consultations.
  
- The LADO attends forums for Designated Teachers of primary and secondary schools and Children Centre meetings.
  
- LSCB training for Designated, Lead and Named Professionals for Child Protection
  - Training content fully developed
  - Training courses scheduled for May, July, November and February 2014
  - Course covers allegations against professionals and has the objective of ensuring that the Designated, Lead and Names professional with the Haringey Partnership are clear and confident in performing their children protection duties, including dealing with allegations
  
- The LADO action plan was updated in line with the last OFSTED recommendations and implemented.
  
- Defined and communicated clear respective responsibilities of the referrer, HR and the LADO. This includes defining the criteria and boundaries in the process for a range of outcomes e.g. cases that meet the criteria for suspension.

### 3. Referrals made against adults working with children

#### 3.1 LADO consultations

Since September 2012, referrers have consulted with the LADO on average twice per week. The LADO provides advice and guidance during consultation with a referrer. The possible outcomes of the consultation are broadly captured under three headings:

- the allegation meets the threshold (section 47)
- local management to address (e.g. through staff training)
- local management to take further action (e.g. disciplinary procedure, in consultation with HR).

The majority of consultations came via OFSTED following anonymous contact from concerned members of the public.



Concerns ranged from teachers and nursery worker behaviour (such as name-calling) to accidental injuries received by children where the parent felt inappropriate action was taken. Whilst the behaviour may have been inappropriate, it is an issue for management to address via staff training and development or at the more serious level the capability or disciplinary process.

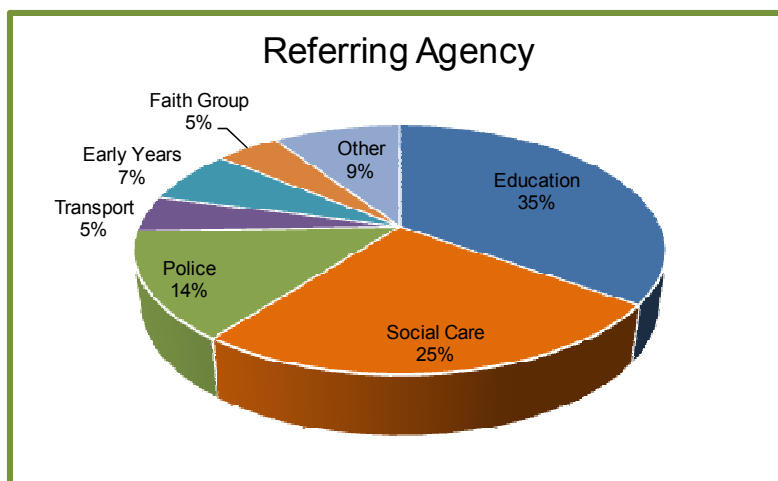
### 3.2 Referrals that met threshold

During the year 2012/13, there were 46 referrals to the LADO that met the threshold for involvement. This figure is broadly in line with our neighbouring boroughs; Islington receives on average 44 referrals that meet threshold every year and Camden an average of 50.

The following charts illustrate the breakdown of referrals by referring agency and by categories of abuse (3.3 and 3.4):

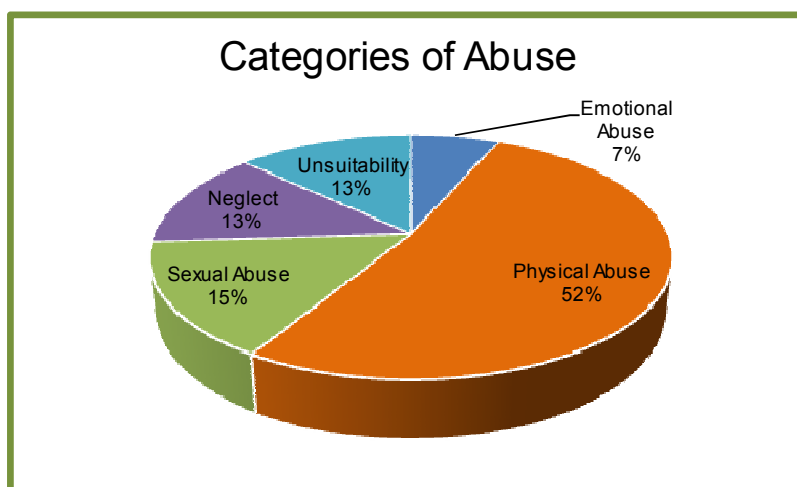
### 3.3 Referring Agencies

The large majority of contacts with the LADO came directly from the educational setting itself and account for 35% of referrals in total. The remaining educational referrals came via CYPS staff or the police after parents had approached them.



### 3.4 Categories of abuse

The largest category of allegations by type was physical abuse this primarily occurred in educational settings and accounted for 52% of allegations that met threshold and 59% of all allegations received.



The majority of these allegations relate to teachers and support staff having trouble in managing challenging behaviour and the use of restraint regarded as being unlawful or contrary to guidance.

In particular, the issue of appropriate restraint and personal protection by teachers when a child is out of control was a feature of a significant number of the allegations investigated. Analysis highlighted a positive correlation with a lack of understanding and interpretation, of the relevant legislation.

The majority of the other referrals investigated related equally to significant harm, concerning Sexual Abuse and Unsuitability to work with children (may pose a risk of harm to children - Working Together 2013). The majority of sexual abuse allegations related to historical allegations and adults' behaviours in their private lives.

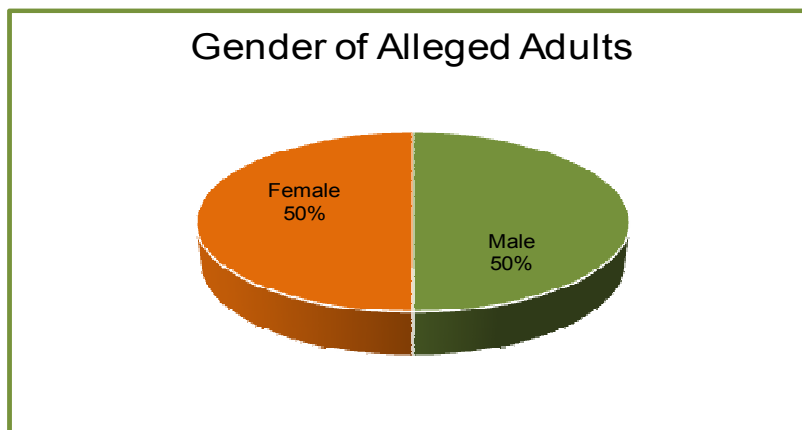
Although there was a predominance of allegations in relation to physical and sexual abuse, it was notable that the individual circumstances of the allegations varied significantly. This demonstrates the need for designated professionals and senior staff responsible for safeguarding to have an awareness of the range of situations in which children could be harmed and how what meets the threshold for intervention by the LADO.

#### **4. Profile of adults that allegations have been made against**

##### **4.1 Gender**

Of the 46 referrals to the LADO, there were an equal number of women and men referred. It is important to consider the gender make up of the childcare/education field when considering this data.





Although there is no statistical profile of those working directly in these fields, unpublished extrapolations from the national general household survey and other data indicate that under 5% of those working in childcare are men, with around 20% of teachers being male. The gender balance of individuals who have had allegations made against them will be kept under close scrutiny and reported on in the LADO quarterly reports with a view to identify the most appropriate action to take to address any ongoing over presentation of men. The new system for data collation will enable us to identify the sector of the workforce, the nature of the allegation and the whether substantiated, unsubstantiated, unfounded or malicious, this detail of information is essential to determine the necessary action and develop a targeted and effective partnership response.

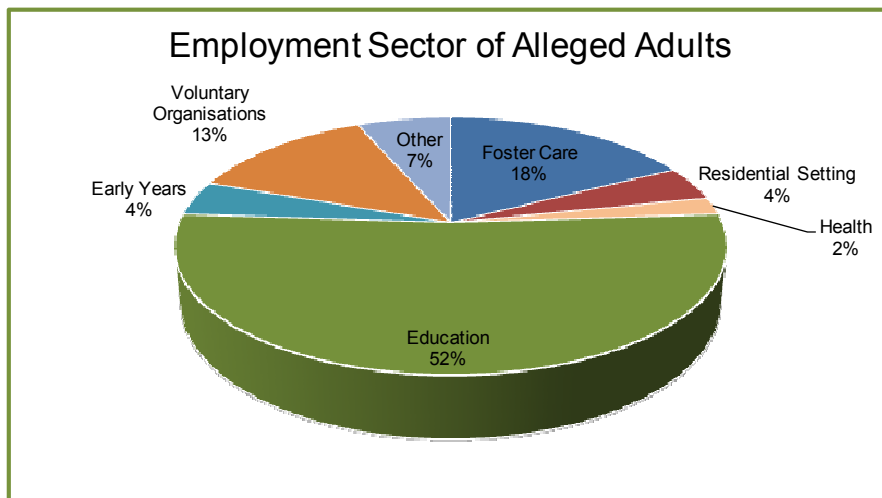
#### **4.2 Other equalities indicators**

Data captured from April 2013/14 will support reliable analysis of information on ethnicity and age.

#### **4.3 Employment Sector**

The majority of referrals are in relation to adults who work in educational settings. This correlates with referrals patterns with our neighbouring boroughs. Given that the educational sector is the biggest employer of people working with children, this is expected.

Referrals from the education sector came from all types of educational provision and included both professionally qualified staff and support staff such as teaching assistants and school cleaners. The majority of referrals came from state schools, with only one by an Independent Academy. There was an almost even mix between primary and secondary school referrals, which is consistent with previous reporting years.



There are a low number of referrals from other sections, such as Early Years and children's residential provision. The lowest reported sector was Health. There have yet to be any referrals from Police\*.

## 5. Comparative Data

5.1 The number of allegations (46) investigated in the year 2012/13 represents a considerable decrease from the 87 allegation deemed to have met the threshold in 2011/12. This reduction is a result of successful changes in application of the thresholds, LADO consultation and advice resulting in addressing issues through more appropriate channels such as HR procedures or through focused learning and development.

5.2 During 2012/13, the largest numbers of allegations were made in respect of foster carers, the majority of these allegations subsequently being withdrawn or found to be unsubstantiated. The reduction in referrals that have been converted into investigations represents further improvement in the appropriate application of thresholds and focus on situations that meet the criteria for statutory intervention. Analysis of referrals since October 2012 that have led to investigation and those that did not meet the threshold has shown that the appropriate decisions have been made. Feedback from partner agencies including schools and children's centres indicate an increasingly high level of satisfaction and understanding of the process and thresholds.

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\* Whilst the Metropolitan Police have their own division to deal with allegations against staff (the Police Complaints Commission), concerns about child protection issues in connection with allegations against police officers should still be referred to the LADO.



## **6. Case resolution timescales**

- 6.1 There are two distinct cases captured in the data within this report that are ongoing, in both instances the alleged perpetrators remain on bail. Both situations are being regularly monitored by the LADO, the employing organisation and police. All other cases have been resolved during the reporting period.
- 6.2 Average length of time to resolve cases was unavailable for the reporting period. The new electronic reporting system provides the functionality to report the length of time taken to resolve cases for 2013/14 (for more information see section 2). However, from analysis of the concluding strategy meeting minutes it is evident that the most common factor causing delay in concluding cases is the time taken for cases in criminal proceedings for decisions made by the Crown Prosecution Service and the outcome of court appearances.

## **7. Substantiation of Referrals**

- 7.1 In six months between October and March 2013, 56% of allegations taken to strategy meeting were substantiated (25% of these led to a criminal prosecution, with half of this number being convicted and other awaiting the outcome of the proceedings) and 25% of allegations were unsubstantiated of which one was found to be malicious.
- 7.2 It should be noted that when an allegation is deemed to be unsubstantiated this does not necessarily equate to it being unfounded, but rather there is insufficient evidence to substantiate the allegation.
- 7.3 Cases are managed by the Local Authority, but in the majority instances the police are the lead agency. The burden of proof required for criminal proceedings is significantly higher than that when considering if an adult is suitable to work with children. The police will determine, based on the presenting information and subsequent investigation if a crime has been committed, if so they will decide whether to issue a caution or refer to the Crown Prosecution Service. When considering neglect for example the following scenario is used: a teacher leaves a vulnerable and disabled child unsupervised in a room for an hour, this cannot be substantiated by police without significant supporting evidence such as additional witness statements, CCTV and proof beyond reasonable doubt this was an intentional and malicious act. If this burden of proof is not met, these issues need to be considered at the concluding meeting and it needs to be established if this was an unintentional case of neglect, (such as the teacher assuming a Learning Assistant was due to take over) or if it was a deliberate neglect of their duties, it is then the HR process will begin in terms of additional training or other disciplinary action following the internal investigation.
- All of these issues need to be considered by the LADO when making recommendations to safeguard children.

## **8. Development work to be completed in 2013/14**



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The action plan below set out planned service improvement for the next year, this builds this year achievements and addresses the areas identified for development.

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

### **Overview of role in Haringey**

In compliance with *Working Together to Safeguard Children - A guide to inter-agency working to safeguard and promote the welfare of children*, March 2013. Haringey has a Local Authority Designated Officer (LADO) who is involved in the management and has oversight of individual cases where allegations are made against people who work with children.

Working Together described the LADO role as providing “advice and guidance to employers and voluntary organisations, liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible and are consistent with a thorough and fair process.”

In Haringey, the operational role of the LADO is undertaken by a designated Child Protection Advisor, with oversight by the Head of Service, Safeguarding, Quality Assurance and Practice Development, which is part Children and Families Service within the Children and Young People’s Service.

### **Responsibilities of the LADO**

The LADO provides advice and guidance during consultation with the referrer. The possible outcomes of the consultation are broadly captured under three headings: the allegation meets the threshold (section 47), local management to address (e.g. through staff training), local management to take further action (e.g. disciplinary procedure, in consultation with HR).

Working Together states that agencies employing staff working with children must have in place clear policies in line with those from the LSCB for dealing with allegations against people who work with children. An allegation may relate to a person who works with children who has:

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

Where the above criteria are met, the LADO is responsible for chairing:

- a strategy meeting to consider whether there should be:
- a police investigation of a possible criminal offence;



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- enquiries and assessment by children's social care about whether a child is in need of protection or in need of services; and
- consideration by an employer of disciplinary action in respect of the member of staff.



**LADO ACTION PLAN IN HARINGEY 2013 / 2014**

| No | Action   | Responsibility  | By  |
|----|--|---|---|
| 1. | Confirm data set for LADO activity – including equalities indicators, source of referrals and outcomes   | Head of Service Safeguarding QA & PD                                  | July 2013   |
| 2. | Produce data on LADO activity, undertake analysis of trends and make recommendations/determine action for single agency or partnership action.   | LADO  | June/July, September/October, December/January and end of 2013/14 |
| 3  | Carry out a quality audit of LADO as part of the department's quality assurance programme.   | Principal Social Worker   | 30 September 2013   |
| 4  | LSCB Training for Designated Lead and Named professionals  | LSCB  | May, July, November 13 and February 14                            |
| 5  | Quality Assurance - audit of thresholds for referrals to LADO – analysis of referrals not leading to Section 47 investigations   | Child Protection Advisors and Head of Service – Safeguarding, QA & PD | June/July, September/October, December/January and end of 2013/14 |
| 6  | Discussion with Police and Health on the involvement of the LADO in the investigation of allegations against professionals, ensuring compliance with Working Together 2013                           | LADO  | September 2013  |
| 7  | Ongoing communication regarding LADO role to all Designated Leads, Named professionals and managers with responsibility for services to children - including sections where referral levels are low. | LADO and CPA's  | On going.   |