

Employers

Allegations Management Procedure Information

OVERVIEW

This information leaflet provides a brief guide to the allegations management process and the role of the LADO. If you are faced with an allegation against an employee or volunteer, working with or providing services to children and young people, the content summarises the procedure to follow. Failure to comply with this could place children and young people at risk of harm.

INTRODUCTION

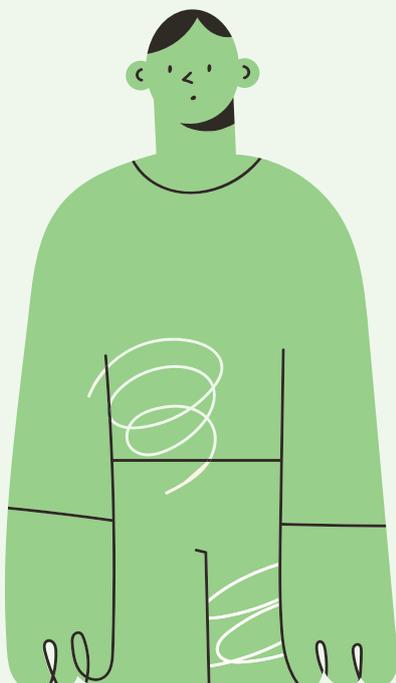
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This leaflet is about managing allegations of abuse made against individuals who work with children and young people in any setting. It is important that all allegations of abuse are treated seriously, in line with the South West Child Protection Procedures.

- [South West Child Protection Procedures](#)
- For schools: [Keeping Children Safe in Education - statutory guidance](#)

The statutory duty to effectively manage allegations is covered by Section 11 of The Children Act (2004) and is further highlighted in Working Together to Safeguard Children.

TYPES OF POSSIBLE INVESTIGATION

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The scope of this leaflet covers a wider range of allegations than those where there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm.

This leaflet should be used for guidance in respect of all cases in which it is alleged that a person who works with children has:

- Behaved in a way that has harmed or may have harmed the child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child in a way that indicates they may pose a risk of harm to children.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

PROCESS

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STEP ONE

As an employer, if you are made aware of an allegation against an employee or volunteer, which you believe meets any of the criteria (see Section B 'SCOPE'), this should be reported to the Designated Senior Manager (DSM) for your organisation. The DSM is responsible for dealing with such allegations (see South West Child Protection Procedures or for schools, Keeping Children Safe in Education statutory guidance) and should notify the Local Authority Designated Officer (LADO) within one working day.

If the DSM is the alleged perpetrator, it should be reported to whoever they are accountable to e.g. owner; director; trustee; chair of governors.

A notification to the LADO should be made by completing an Allegations Reporting Form (ARF) found on the Somerset Safeguarding Children Partnership website:

[Allegations management - Somerset Safeguarding Children Partnership](#)

HOWEVER:

If the child is at imminent danger, you must phone the Police on 999. A referral must then be made to Children's Social Care through Somerset Direct.

If it is evident that the child has suffered significant harm or likely to suffer significant harm, a referral must be made to Children's Social Care through Somerset Direct.

Somerset Direct - Tel: 0300 123 2224

STEP TWO

Following receipt of the ARF, the LADO will determine which (if any) of the four criteria are met. Should one (or more) of the criteria be met, it will then be determined which of the following three processes are required (if the allegation is serious then all three will potentially be followed):

- Child Protection enquiries (Children's Social Care)
- Criminal investigation (Police)
- Internal investigation by the employer

STEP THREE

The LADO will liaise with the employer to provide advice and guidance in relation to:

- Initial steps i.e. suspension / re-deployment; referral to Children's Social Care to consider the welfare needs of the child; involvement of the Police or a formal investigation under the organisation's disciplinary procedure.
- How to inform the child's parents / carers.
- When to inform the employee or volunteer, that an allegation has been made that they have harmed a child and how to manage this discussion.
- How the employer safeguards children throughout any investigation(s).
- What the employer can expect of the LADO and / or other agencies involved.



STEP FOUR

- The LADO will monitor any of the processes followed, including the internal investigation by the employer, and review further action as necessary.
- The LADO will ensure the employer is kept up-to-date with any Child Protection enquiries or criminal investigation.
- The LADO will record information and outcome of the processes and ensure where necessary, individuals are referred to the Disclosure & Barring Service and / or regulatory bodies e.g. Ofsted; Care Quality Commission

KEY POINTS

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Regardless of the nature of allegations and who receives the allegations, it MUST be reported to the LADO. This must include situations where the employee / volunteer resigns. Settlement agreements are NOT suitable in such circumstances and may put other children at risk in the future.

The organisation's Complaints Procedure is separate to the managing allegations process. If the complainant does not pursue a complaint, this does not mean that the allegation should not be considered and investigated - liaise with the LADO in such circumstances.

Upon conclusion of the internal investigation, the LADO will, in consultation with the employer, agree one of the following DfE defined outcomes:

- Substantiated - there is sufficient evidence to prove the allegation.
- Malicious - there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.
- False - there is sufficient evidence to disprove the allegation.
- Unsubstantiated - there is insufficient evidence to prove or disprove allegation. The term therefore does not imply guilt or innocence.
- Unfounded - there is no evidence or proper basis which support the allegation(s) being made.

If you have a concern about a child, please contact:

Somerset Direct
0300 123 2224

If you are the Designated Safeguarding Lead for your organisation,
you can get advice and guidance from:

Children's Social Care consultation line
0300 123 3078
(9:00am - 4:00pm)

CONTACT DETAILS

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To contact the Local Authority Designated Officer (LADO), you can do this through:

Tel: 0300 123 2224

Email: SDinputters@somerset.gov.uk

FURTHER INFORMATION

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For more detailed information about the process see:

