

8 October 2019		ITEM: 11
Children's Services Overview and Scrutiny Committee		
Local Authority Designated Officer (LADO) Annual Report 2018-19		
Wards and communities affected: All	Key Decision: N/A	
Report of: Ruth Murdock, Strategic Lead of Quality Assurance and Reviewing		
Accountable Assistant Director: Sheila Murphy, Assistant Director of Children's Services		
Accountable Director: Roger Harris, Corporate Director of Adults, Housing & Health and Interim Director of Children's Services		
This report is Public		

Executive Summary

This report is to update Members of the Overview and Scrutiny Committee on the work of the Local Authority Designated Officer in relation to allegations against people in a position of trust

1. Recommendation(s)

1.1 That the contents of the LADO annual report 2018-19 be noted

2. Introduction and Background

- 2.1 All agencies that provide services for children, or provide staff or volunteers to work with or care for children, are required to have a procedure in place for managing and reporting allegations against staff and volunteers, which is consistent with statutory guidance published by HM Government (revised guidance: *Working Together to Safeguard Children 2018*). This guidance also outlines the requirement of the Local Authority Designated Officer (LADO) to be involved in the management and oversight of allegations against people who work with children. The LADO oversees the effectiveness of the process not only in terms of protecting children but also ensuring that those who are the subject of an allegation are treated fairly and that the response and subsequent action is consistent, reasonable and proportionate.

Working Together 2018 defines what constitutes an allegation as when a person who works or volunteers with children has allegedly:

- 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 s/he might pose a risk to children.

In Thurrock, all agencies are expected to follow procedures as set out in in the Southend, Essex and Thurrock Safeguarding and Child Protection Procedures. These have been endorsed by the Thurrock Safeguarding Children Board (now Partnership).

- 2.2 This annual report is also provided to Thurrock Safeguarding Children Partnership and stake-holders. It outlines the number, nature and outcome of allegations made against staff within the children's workforce in Thurrock, between 1 April 2018 and 31 March 2019. In addition to providing data collated from records maintained by the LADO, the report provides an analysis of issues and trends that are considered to be relevant regarding inter-agency working together arrangements to improve outcomes for children and staff/volunteers involved in this process.
- 2.3 The report outlines the process for managing allegations in Thurrock and the expectations of what to do if an allegation is made. The behaviours of concern will relate to physical abuse, emotional abuse, sexual abuse or neglect. Sexual abuse includes (Sexual Offences Act 2003):
- having a sexual relationship with a child under 18 when in position of trust in respect of the child, even if consensual,
 - Grooming
 - Possession of indecent images
- 2.4 The three strands in the consideration of an allegation are outlined
- A police investigation of a possible criminal offence;
 - Social care enquiries and/or assessment about whether a child is in need of protection or services;
 - Consideration by an employer of disciplinary or capability action.
- 2.5 The possible outcomes from an allegation are:
- Substantiated - sufficient evidence to support the allegation
 - Unsubstantiated - Insufficient evidence to prove or disprove. This is not the same as a false allegation and does not imply guilt or innocence.
 - Unfounded - Evidence was available to disprove the allegation or information has been misinterpreted. This means there was no intent to harm or neglect.
 - Malicious - A deliberate act to deceive. For an allegation to be classified as malicious, it will be necessary to have evidence which proves malicious intent.

- 2.6 The Strategic Lead for Quality Assurance and Reviewing holds the overall responsibility for delivering a LADO service across Thurrock. There is currently a dedicated LADO and dedicated administrative support. All completed referrals should be sent to the dedicated LADO e mail box which is checked regularly throughout the day. In the absence of the LADO the Strategic Lead or Service manager will respond to the referral. This allows for a service to be available Monday to Friday during office hours. Outside of Office hours issues can be raised with the Emergency Duty Team social workers and passed back to the LADO the following working day.
- 2.7 The number of allegations made against a person in a position of trust has slightly reduced compared to last year, although the proportion relating to different professional sectors has remained in the same proportion with the majority relating to Education and Early Years, and then Fostering. The allegations often relate to physical incidents either restraint or chastisement where staff are trying to manage situations or in a context of a dispute between the parents and the school/nursery. There has been a rise nationally in safeguarding complaints made to OFSTED about schools. This year the allegations of sexual abuse have been quite serious. The police investigations of people downloading abusive images continues to be a source of referrals. A small number of substantiated allegations lead to dismissal.
- 2.8 The timescale for the completion of the LADO role is usually within a month, although cases where there are police investigations will not come to a conclusion quickly and can continue for many months.
- 2.9 Service developments for 2019-20 include
- training and awareness raising activities with key partner agencies,
 - improving timely closures where possible

3. Issues, Options and Analysis of Options

- 3.1 This is included in the annual report

4. Reasons for Recommendation

- 4.1 Members of the Committee are aware of the Functions of the LADO and the work 2018-19 undertaken in relation to the allegations against people in a position of trust undertaken.

5. Consultation (including Overview and Scrutiny, if applicable)

Not applicable

6. Impact on corporate policies, priorities, performance and community impact

None

7. Implications

7.1 Financial

Implications verified by: **Michelle Hall**
Senior Management Accountant

There are no financial implications in this report.

7.2 Legal

Implications verified by: **Lindsey Marks**
Deputy Head of Legal (Social Care and Education)

There are no legal implications. The Local Authority Designated Officer role is laid down in Working Together to Safeguard Children 2018

7.3 Diversity and Equality

Implications verified by: **Rebecca Price**
Team Manager - Community Development and Equalities

The service is committed to practice, which promotes inclusion and diversity, and will carry out its duties in accordance with the Equality Act 2010 and related Codes of Practice anti-discriminatory policy.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder, or Impact on Looked After Children)

None

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

None

9. Appendices to the report

- Appendix 1 - Local Authority Designated Officer (LADO) Annual Report 1st April 2018 - 31st March 2019

Report Author:

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