

Management of Allegations Annual Report to the DSCB

**By the:
Local Area Designated Officer**

April 2014 – March 2015

INTRODUCTION

The Local Designated Officer is responsible for the management and oversight of all investigations into allegations against those working with children.

In Dudley Jassi Broadmeadow, Head of Children and Young People's Safeguarding and Review is the Designated Officer, who has direct accountability for allegations and reports to Dudley Safeguarding Children Board.

The day to day arrangements for responding to allegations had been shared between the Child Protection Officer (Education) Funbir Jaspal and the Independent Reviewing Officers (IRO) duty system. This has offered an avenue for the response to allegations and a continuation in the service, to partner agencies. We however recognise that this system presented some difficulties and did not offer consistency with thresholds, and also impacted on effective methods of data collection. It is also acknowledged that the Child Protection Officer (Education) did not have the capacity to respond to all of the allegations alongside their other duties.

In a drive to improve the service, there is now a full time interim Local Area Designated Officer in place, and there are plans in place to recruit a permanent staff member to cover this post. Currently day to day responsibility is delegated to the part time Child Protection Officer (Education) and the full time LADO.

Between them the two officers manage the day to day requirements for allegations against those working with children and the process and casework is overseen by Jassi Broadmeadow. Together, we form a small team responsible for all allegations involving those working with children that come in from across all agencies.

This report outlines the work of the Allegations Team for the period April 2014 to March 2015.

The Team has had a busy year and has dealt with a number of referrals from across a variety of agencies. I am grateful for the effort and commitment offered by members of the Team in the delivery of their work and in their compilation and production of our Annual Report.

I present this report to the Dudley Safeguarding Children Board and welcome the Board's comments and suggestions.

Jassi Broadmeadow
Named Senior Officer

3rd November 2015

ALLEGATIONS AGAINST THOSE WORKING WITH CHILDREN

1. Synopsis

Section 11 of the Children Act 2004, places a duty on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

This includes the responsibility of the Local Children's Safeguarding Board to appoint a named senior officer responsible for oversight of the Management of Allegation process and to ensure that there are appropriate arrangements to provide advice and guidance on how to deal with allegations across a range of agencies. This also includes the voluntary and community sectors as well as private companies who employ staff to work directly with children and those engaged as foster carers for both local authority and private agencies.

The Management of Allegations should be seen in the wider context of safer employment practices, which has three essential elements:

- Safer recruitment and selection practices
- Safer working practices
- Management of allegations and/or concerns

Although this report will primarily focus on the third element this activity should be seen in the wider context of Dudley Safeguarding Children Board's work in respect of safer recruitment, employment and guidance to support safer working practices across the children's workforce and within the private and voluntary sector.

The report focuses on the work undertaken for the year covering the data gathered from referrals as well as work undertaken to raise awareness of the Management of Allegations processes and its associated procedures.

2. Background

The procedural basis for the allegations against staff process remains Working Together 2015. Following the Munro review of child protection Working Together 2010 was reduced in terms of statutory guidance and the arrangements relating to allegations against staff had been removed, apart from reference to the need for each Local Authority to appoint a Local Area Delegated Officer (LADO) and the requirement to refer. This review took place in 2013 which has led to the most recent update.

Dudley Children's Safeguarding Board has put in place Safeguarding Procedures, which include a comprehensive set of procedures to Manage Allegations against Adults who work or volunteer with children. This procedure has retained most of the arrangements and statutory guidance from Working Together 2010 and has incorporated the changes from Working Together 2015.

This brings the procedures into line with other documents such as the DfE statutory Guidance for Keeping Children Safe in Education 2015. The referral criteria have been amended slightly, retaining the first 2 elements but replacing the third referring to “unsuitability to work with children” with “posing a risk of harm”. So referrals should be made where it is alleged someone has:

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

There has been much debate about the use of the title LADO, particularly in line with the most recent changes to “Working Together” and the move to label the role as the Designated Officer (DO).

All of the West Midlands Regional LADO Network is very clear that they have retained the title LADO; it has taken several years of hard work to publicise the role of the LADO, and the responsibility for the LSCB to appoint a LADO (Children Act 2004) remains the same. We finally settled on the fact that we in Dudley will retain the title LADO which will keep us in step with our local partners, and the process of cross border working will not cause confusion.

The duties of the Local Area Designated Officer are to:

- Manage individual cases
- Provide advice and guidance
- Liaise with police and other agencies
- Monitor progress of cases for timeliness, thoroughness and fairness

The LADO is well positioned within Dudley’s Children and Young People’s Safeguarding and Review Safeguarding services to achieve each of these expectations having overview of every contact and referral.

There is currently a standardised referral form which needs to be updated to include a wide range of screening information beyond details of the incident in question (i.e. about safer recruitment practices, access to safeguarding training, level of advice given to staff in respect of safe working practice, restraint policies and Human Resources details). These proposed changes will allow links to be made to other processes and support to be offered to ensure compliance and best practice. An improved referral form will support better collection of data.

Referrals are logged on a data base, by month and then by year, however there have been a number of difficulties with data systems which has presented difficulties in collating accurate data. There are currently discussions around how best to develop a central electronic record system in respect of the adults who come to the attention the Management of Allegations Process.

The referrals are currently made directly to the Safeguarding and Reviewing Service and discussions will need to take place as to how the Management of Allegations process will fit in as a part of the development of the Multi Agency Safeguarding Hub (MASH).

In terms of multi agency working there are very good relationships with members of the local Police Child protection command, with good attendance at Positions of Trust Meetings and two-way information sharing. Links have also been made with relevant Human Resources officers for schools and other Dudley service areas which include the positive work already done by Early Years provisions in respect of the management of allegations process. These relationships have developed over time allowing for clarity regarding roles and responsibilities and good outcomes for staff, e.g. in relation to support to the subject of the allegation, record keeping and links to HR processes that may run alongside or following a police or social care investigation.

We continue to develop positive links with the Child Exploitation and Online Services (CEOP) however we need to develop better links with local faith based organisation, the voluntary sector and private organisations that offers services to children.

The Local Area Designated Officer will also link in with the Prevent Strategy to ensure that there is a coordinated response to any concerns in respect of adults working within a regulated activity setting.

There are positive links with the local West Midlands Designated Officers network and clear partner arrangements for managing allegations across local borders. The National Designated Officers Forum monitors national patterns and trends and shares information in respect of allegations outcomes as well as taking the lead on government consultations on any proposed legislative or procedures changes. The national forum, meets annually as part of the information sharing process.

Local arrangements

Nationally, we have seen a steady increase in referrals to the LADO since the guidance was first issued in 2006 from a wider range of agencies, which is reflected through the work of the National Forum.

The DfE sets out the information which needs to be captured as part of the data collection process; we recognise the methods of data collection currently being used needs to be improved. The data in respect of the numbers of referrals which resulted in consultations and advice were recorded; however the system for recording was not fit for purpose. This could be due to a number of difficulties around how referrals are received and processed, and requires improvement.

It is noted that the information in respect specific outcomes have not been recorded, and leave a significant gap in the data collection process. This covers information such as how many case resulted in a S. 47 investigation under The Children Act 1989, and what proportion of those were single or joint agency investigations. We also do not have the data in respect of the specific outcomes such as criminal convictions, suspensions, dismissal and referral to regulatory bodies by profession.

The planned improvements will rectify these omissions and it is envisaged that we will have more robust systems in place to capture data and ensure that the Management of allegations process is effective in safeguarding children across all service areas.

3. How well did we do?

Working Together 2015 sets out the expectations that 80% of such cases should be resolved within one month of referral, 90% within three months, and all but the most exceptional cases, completed within one year.

Number of Allegations

	2013/14	2014/15
Number of allegations referred	No data recorded	60
The percentage of allegations that were referred within 24 hours of the date the concern was raised (relates to actual professionals)	No data recorded	This information has not been collated
Allegations where correct procedures were followed by referrer	Data not available	This information has not been collated

Of the 60 cases which were recorded as referrals, referred through the Managing Allegation against Staff and Volunteers process, 40 were dealt with within one month (66.66%) of the referral and 15 cases (25%) were concluded within the three month target. There were some cases which were subject criminal investigations, which contributed to a delay in outcomes; 4 cases (6%) were concluded after 6 months and one case (20%) was concluded in a nine month timescale.

Allegations by Profession

Allegations referred By profession	2014/15 (Number)	2014/15 (%)
Child Health (health visitors, school nurses)	8	13.34%
Foster Carers/Placements	6	10%
Teachers/Head teachers*	24	40%
Education (Other)	0	-
Social Workers**	0	-
Voluntary Sector	3	5%
Other Dudley Services	0	-
Health (any other health worker)	0	-
Police	0	-

Care Workers	0	-
Early Years	0	-
Residential Care	5	8.34%
Other DO/Authority	0	-
Other	14	23.34%

As can be noted, education staff account for the majority of the recorded allegations referred under the Management of Allegations Process. However it should be noted that this is not a comprehensive picture of the total referrals for the year.

We have to keep in mind that the service has not had a full time LADO in post and as earlier stated in this report the responsibility has rested with the Independent Reviewing officers. This impacted on the methods of data collection with the outcome of unreliable data.

It is envisaged that we will be in a better position to collect a more comprehensive set of data for the last two quarters of this current year; 2015/16, and a full data set for 2016/15.

Outcomes of Allegations

Of those allegations referred, the number that resulted in no further action being taken following initial strategy meeting	2014/15
Number	Not recorded
Percentage	-

In order to consider how we keep in step with our local partners, a canvas of the numbers of referrals received by our statistical partners are as follows;

Authority	2014/2015 Total Referrals	2014/15 Of those, consultations only	2014/15 Positions of trust
Walsall	329	263	66 (21%)
Birmingham	1076	865	211 (20%)
Sandwell	431	341	90 (21%)
Shropshire	229	Improving data recording	Improving data recording
Worcestershire	887	726	161(18%)
Staffordshire	600+	300+	Info not provided

The local data analysis suggests that between 18% and 20% of the total numbers of referrals received went on to be considered by way of Positions of Trust meetings. If we use this as a tool to predict the likely numbers of referrals it would suggest that the number of referrals to the LADO in Dudley is likely to have been over the 300 mark for the period 2014 to 2015.

This of course is not an exact science, but does provide us with a picture and supports the need to improve data collection.

Whilst we know that our referrals for the period 14/15 were recorded as 60, we now know from the new method of data collection which was implemented for the third quarter of

this current year Oct-Dec 15; that the referrals received through the Management of Allegations process are currently at 65. This therefore indicates that we are not far off our regional partners.

4. Education

In Education, referrals are received, primarily, from Head Teachers or Child Protection Leads. Referrals relating to school or education staff can also come to the attention of the LADO from a range of other sources such as Ofsted and anonymous callers. Parents and Carers tend to report their concerns to Ofsted, the School, and the police or to the Local Authority Complaints Officer.

There continues to be positive working partnerships with all the schools across the Borough, which also includes some specialist education provisions.

Key Areas for improvement

There is currently no single agency training provided for Head Teachers / Designated Safeguarding Leads in respect of the Managing Allegations procedures. It is planned that a multi-agency specialist course on handling of allegation against staff alongside information aimed at raising awareness of the threshold for referral to the Local Authority Designated Officer and the processes involved in managing concerns and allegations will be developed.

5. Areas for Development

The Management of Allegations process can be a difficult one for both employers and employees. We continually look for ways in which we can offer the level of support required to assist managers and employers that enables them to take appropriate action following allegations. In particular we support them to make decisions following outcomes especially where the individual may be subject to further disciplinary or investigative action.

We are considering how best to obtain feedback from our colleagues to ascertain the areas where we need to develop and improve on. This will help us to ensure we are offering support to referrers as well as being effective in dealing with the investigative process in an impartial and efficient manner.

The DSCB Management of Allegations procedures which form part of the overarching Safeguarding Procedures and Safer Working Practice Guidance have been revised. It is acknowledged that these require improvement.

To this end, we have identified some of the key areas that we will work on during the coming year, aimed at improving outcomes and improving the service we offer.

These include *key areas for improvement or action during 2015 to 2016:*

- Continuing to carry out a revision of management of allegation procedures taking account of new national guidance. This will include updating local guidance and referral procedures.
- Improving the way in which data is collected to include the DfE guidance on what information needs to be captured as part of the data collection process. This should also include the racial background of the adults who are subject to the management of allegations process, in order that ethnicity can form part of the annual static analysis.
- Work in partnership with the development of the MASH service to support a single point of contact for referrals
- To work in partnership with ICCT team to establish better electronic systems of recording information which will also support a more comprehensive method of data collection.
- The Local area Designated Officers to develop Multi agency training in respect of the Management of Allegations Processes, alongside information aimed at raising awareness of the thresholds for referrals in respect of the Management of Allegations processes.
- Develop the administration process around the Management of Allegations to ensure that the referral has a single pathway into the Safeguarding and Review Services, and to update the referral and consultation forms.
- Work in partnership with the DSCB to develop information a Suite on the DSCB website dedicated to the Management of Allegations process

6. Conclusion

The role of the LADO has developed and progressed since they first appeared in 2006. The management of allegations is a complex and difficult process that often involves exposure and investigation into the working practices of organisations.

In Dudley, we have a committed and effective partnership amongst the various agencies that work with children. All the agencies that we have come into contact with in relation to allegations about their staff have co-operated fully, openly, and with integrity. We recognise that there is still not enough capacity within the service to deliver an effective Management of Allegations Process. Any plans should ideally include a full time post with the support of an Education Lead in Safeguarding to work alongside the LADO.

We have dealt with a number of referrals to and from the Disclosure and Barring Services (BDS). We have established a good rapport with the organisation and they are supportive in our referrals to them to prohibit any person from working with children.

We will strengthen this link to ensure that we are able to support employers who wish to make their own representation to the DBS and work with them to ensure that we are able to be effective in prohibiting persons who are felt to be a danger to children, from having access to them.

Section 11 of The Children Act 2004 charges Local Authority Safeguarding Boards to appoint a Local Area Designated Officer, and it should be the responsibility of the DSCB with the support of partner agencies to fund the post of the LADO. A post specifically funded through education, as is the current proposal is likely to leave a significant shortfall in how the DSCB works alongside its partners in ensuring a robust and effective Management of Allegations process. The improved method of data collection will be able to accurately tell us what percentages of referrals are in respect of education staff; the current figure of 40% is not accurate data and should not be relied upon to predict the future numbers of referrals and the capacity of the service to manage those referrals.

A consideration would be to utilise the data at the end of the third quarter of 15/16 as a method of predicting the likely annual referral for 16/17. This is likely to give a more accurate projection and support the Board in any funding considerations.

The Board is to be commended for their support of the process through the partnership arrangements we have with all agencies that has enabled the processes to work well. We envisage another busy year in this area of work but we also embrace the challenges it will bring. We remain committed to ensure that all children are safe in the care of those entrusted in looking after them whether at home, at school, or in any other environment.